

L I F E  
OF  
WILLIAM, EARL OF SHELBURNE,

AFTERWARDS  
FIRST MARQUESS OF LANSDOWNE.

WITH  
EXTRACTS FROM HIS PAPERS AND CORRESPONDENCE.

BY  
LORD EDMOND FITZMAURICE.

VOLUME III.

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## PREFACE.

I HAVE to thank the Earl of Derby for allowing me access to the papers in the Foreign Office which relate to the times treated of in this volume. I also desire to express my sense of the valuable assistance I have received from Mr. Major and Mr. Coote of the British Museum, and Mr. Hertslet of the Foreign Office, in regard to the question of the Maine boundary.

The characters of Lord Temple in Chapter I. and Lord Ashburton in Chapter IX. are among the Lansdowne House MSS. The former is not in the handwriting of Lord Shelburne, but I believe him to have been the author of it.

The Memorandum on the events of 1782 and 1783, and the Notes of the Conversation between Lord Ashburton and the King, are also at Lansdowne House, but in a very disconnected and fragmentary condition. I am indebted to the kindness

of Miss Travers and Mr. Stevenson for the letters of Lord Shelburne to Dr. Price which are referred to in this volume, and I have to thank Sir E. Strachey for giving me the use of the papers in his possession which relate to the Peace of Versailles. The anecdotes for which no authority is given in the notes, have been collected from local tradition.

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## ERRATA.

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### VOL. II

Page 204, *for* "defy" *read* "derfy."

„ 248, (note) *for* "inadmissible" *read* "admissible"

Ch III., strike out 1769 from the heading of the chapter

THE LIFE  
OF  
WILLIAM, EARL OF SHELBURNE.

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CHAPTER I.

THE DEATH OF LORD CHATHAM.

1776-1779.

PARLIAMENT met on the 31st of October 1776, three months after the Declaration of Independence, the news of which was closely followed by that of the failure of Lord Howe's negotiations. The despondency which ensued upon these events was however soon effaced by the successes of the royal troops at Long Island and New York,\* and the King's Speech on the first day of the Session breathed nothing but confidence regarding the war in America, and the preservation of peace in Europe. The Opposition however did not abate their former zeal for reconciliation. They attacked the speech in both Houses. Shelburne denounced it as "a piece of

Autobiography of Grafton.

metaphysical refinement, framed with a design to impose," and the defence set up for it, as nothing more than "a string of sophisms, no less wretched in their texture, than insolent in their tenor." He then proceeded to go through it clause by clause. He denied that the Americans had rejected the means of conciliation held out to them under the authority of the royal commission, with circumstances of "indignity and insult." The pretended means of conciliation were held back so long, that even if the Commissioners had been armed with sufficient powers, the Americans would have been fully justified in declaring themselves independent, from the most obvious motives of self-preservation. The language applied by the speech to the colonists was, he said, indecent; if it were not, then not only the colonists, but the Whigs of 1688 also, were rank rebels and guilty of treason. He was not going to alter his sentiments because of the recent success of the royal arms; they were unaltered. He then proceeded to ridicule the reliance placed by the Ministers on the pacific intentions of France. He said he had recently been in that country, and had seen their preparations, which were notorious to everybody, except to the English Ambassador in Paris; not only France, but Spain also, had been arming for months; a formidable fleet was fitting out at Brest; the French and Spanish ports, both in Europe and

the West Indies, were so many asylums for the American privateers; warlike stores were openly transported from almost every harbour in France; the latter court had positively refused to prohibit American trading vessels or ships of war from entering their ports; and to complete the whole, a person sent from the Congress, if not two or three, was now in a public character at the court of Versailles, not perhaps received by M. de Vergennes with the formalities of an Envoy Extraordinary, but most certainly armed with all the efficient powers of a person treating on the part of an independent state. The concluding paragraph of the speech he declared to be a compound of the most glaring hypocrisies, unless attempting to rob the people of America of their property, by laying taxes on them without their consent and stripping them of their charters, was a proof "that no people ever enjoyed more happiness under a milder government," or unless sending over an army of foreign mercenaries, was the first step "to restore to them the blessings of law and liberty, equally enjoyed by every British subject."

Against the ministerial majorities however the Opposition fought in vain; and so disgusted were the Rockingham Whigs at their want of success, that after the rejection on Nov. 6th of Lord John Caven-

dish's motion for the revival of all laws by which the Americans thought themselves aggrieved, they broke from the agreement they had made with Grafton in the previous year, and ceased to attend in the House of Commons. In this course Shelburne refused to join, and followed by his friends warmly opposed the Bill for suspending the Habeas Corpus Act in the Colonies, which the Ministry were at this moment engaged in passing. Nor was this resistance useless, for Dunning succeeded in carrying a number "of alterations, clauses, and softenings," \* which materially diminished the obnoxious character of the measure. Shelburne also strongly opposed the payment of the arrears of the Civil List, for which the King was again applying, condemning the extravagance of the Court, the careless manner in which it appeared from the papers laid before the House that the accounts were kept, and the unconstitutional character of the doctrine advanced by the King's friends, that he had an absolute right, independent of Parliament, to the Civil List, and that consequently Parliament had no right to interfere with the application and expenditure of it. †

The history of the extension of the control exercised by Parliament over the money given to the

\* Walpole, "Journals," ii. 94.

† "Parliamentary History," xix. 181.

Crown for the Civil List, affords an interesting study of the growth of the power of the two Houses. It was still urged in the middle of the last century by the King's friends, that as the Civil List had been given to the King for life, in exchange for the cession of the Ordinary Revenue, the House had no right to meddle with it in any way during his lifetime, unless with his previous consent; in other words that what applied to the Ordinary Revenue of the Crown, applied also to the money given in exchange for it. Historically the argument was unanswerable, and Rigby used it in 1780 in an unsuccessful attempt to thwart the reforming zeal of Burke and Dunning in the House of Commons.\* The Whig Peers in 1776 took a very bold and extreme view of the question. They asserted, that the Crown had no independent right to the Civil List whatever, and that the revenue of the Crown was part of the national revenue, in the same sense as the money arising from the land tax or any other duty, and that Parliament consequently had the same right to inquire into the expenditure of the money they had voted, which it possessed in other cases. The argument, it is to be observed, implied the abolition of the permission of the Crown, customarily given whenever the Royal domain is about to be dealt with by Parliament. From enforcing this extreme

\* Walpole, "Journals," ii. 376.

demand Parliament has hitherto shrunk, and the present practice reposes on a compromise. Whenever the Ordinary Revenue is about to be dealt with, the royal permission is still sought, but Parliament under the resolution moved by Dunning in 1780, claims an independent right to inquire into the expenditure of the money given to the Crown in exchange.

Shelburne concluded his speech on the Civil List with a general account of the degeneracy of Parliament, owing to patronage, borough-hunting, contractors and their contracts, speculation and corruption at home, vacillation and weakness in public matters, and the increased influence of the Crown. The last, he said, would bring the country to slavery, destruction and ruin. Corruption had spread beyond parliament into the general mass of the community; the nation was composed of buyers and sellers; contracts and the inexhaustible influence derived through these fruitful channels, had done wonders, and had succeeded in cases, where bribes, places, and pensions, from insuperable impediments, must have for ever failed; they not only answered purposes in Parliament, but from their fertile and happy nature, flowed through twice ten thousand channels. The great contractors had their different contracts; those again were divided and subdivided almost *ad infinitum* among sub-

contractors; and they all found their interest in prolonging a war, by which, though the public might be ruined, they were themselves rendered opulent.\* The idea that the measures of the Ministers could be defended by saying that Parliament had called for them, signified, he said, "just nothing." Parliament in the first place did not represent the nation; even if it did, it could be shown that the nation itself was deluded; and he related a conversation he had had with a Wiltshire farmer, who he said was a just picture of the majority of the people within and without doors. He had asked the farmer what he thought of the American war, and the general state of public affairs. The farmer wished for peace with America, but thought the colonies should be taxed as well as Great Britain. The man was one of the wealthiest farmers in the county of Wilts. Such men, he said, were sometimes sent to Parliament; men of extremely good natural understanding, but who did not trouble themselves much with abstruse researches into politics as a science. If such a man, he argued, was in the Parliament, which had addressed the throne, declaring the colonies in rebellion, and pledging itself and the nation to all the consequences of an American war, it was extremely probable, that he would reason precisely

\* "Parliamentary History," xix. 183, 185.

in the same way, and determine accordingly; he would think that America had as good a right to pay taxes as Britain; he would think, as England had the power, England ought to employ it, to enforce what appeared to him to be fair and equitable terms; and when the measures of enforcing obedience to the laws were resisted, and attended with great difficulty in the execution, he would probably wish for peace; but yet be tempted to go on, sooner than forego the attainment of the grand object he had first in view, namely, alleviating his old and new burdens.\*

The outspoken language and conduct of Shelburne greatly exasperated both the Whigs and the King. "I have no confidence in Lord Shelburne's professions," the Duke of Portland wrote to Rockingham, and the King habitually spoke of him as "Malagrida" and the "Jesuit of Berkeley Square."† So notorious did this become, that one Dignam having given information of a plot to assassinate the King, and to seize the Tower, thought it worth his while to place the names of Shelburne and Sawbridge, the Lord Mayor of London, at the head of a list of twenty-five persons, whom he denounced. "For a few days it was believed, and the chief accused were

\* "Parliamentary History," xix. 500.

† "Rockingham Memoirs," ii. 320. George III. to Lord North, in Lord Brougham, "Statesmen of the Reign of George III.," i. 108, 109.

watched, and the King was afraid to ride out; but the man being taken up for forging the sale of a place, the plot was found to be his forgery too." Notwithstanding this exposure, Lord Suffolk, then Secretary of State, declared his story to have been "worthy of attention, plausible, and full of every appearance of truth;" and said in the House of Lords that he would not sit down without once more repeating, that "the conduct of those called the Opposition was detestable; and that though Dignam was an impostor, the Government had other proofs and those of a nature not to admit a doubt, that the Opposition deserved that public detestation, which they were notoriously known to be held in."†

At the moment that the fortunes of the Opposition were at their lowest ebb, it became known that Chatham was once more about to appear upon the scene. On May the 30th he broke his long silence, by moving an address to the Crown, to put a stop to hostilities in America. This motion was supported by Shelburne, in a speech which the younger Pitt, who was present as a spectator, declared "one of the most interesting and forcible that he had ever heard, or even could imagine."‡

^ Walpole, "Journals," ii. 104.

† "Parliamentary History," xix. 180.

‡ "Chatham Correspondence," iv. 438.

The chief features of it seem to have been a restatement of the dangers to be apprehended from foreign powers, and a fierce attack on the Archbishop of York, for having said in a sermon that resistance to the law could not under any circumstances be justified, a proposition which Shelburne had already once protested against in his speech on the Civil List. So exasperated was the Archbishop at the attack, that he rose in his place, and declared that he refused to be insulted by even the proudest Lord in that House; whereupon Shelburne again rose, and congratulated the King on having at least removed from the tuition of his son, a man who would not allow "the word liberty to be pronounced without a qualification," a taunt which was followed by a scene of great confusion.\*

The motion of Chatham was easily defeated, and the Ministry grew more and more elated, when notwithstanding the assistance which the American army in the field gained from the assistance of Lafayette, Steuben, Kosciusko, and other distinguished foreign volunteers, the battles of Brandywine and Germantown were won, and Philadelphia was captured. It was now hoped in ministerial circles that by the success of the expedition which was being led from Canada under Burgoyne, a final blow would be struck at the rebellion. Burgoyne

\* "Parliamentary History," xix. 344-350.

was to co-operate with Clinton and Howe, but owing to the extraordinary negligence with which the instructions were sent out to the various commanders,\* and to the natural difficulties which stood in the way of the expedition, this great military operation ended in one of the most memorable disasters which has ever befallen the British arms. The fatal news had not arrived when Parliament again met on the 18th of November, 1777. The tone of the royal speech was still all exultation, and an amendment moved to the address by Chatham was rejected by a large majority. Lord Sandwich was especially confident, although it was already practically known that Burgoyne's expedition was, to say the least, a failure. "The noble Earl," said Shelburne, who was in possession of authentic information from the army,† "speaks with great confidence of the expected success of our military operations, but upon what rational foundation I am yet to learn. The issue of Mr. Burgoyne's expedition is too melancholy to be made a subject of conversation; his army, by every appearance, is destroyed; but supposing the contrary, and that not finding it practicable to push forward, he has been so fortunate

\* See "The Character of Lord George Germaine," by Lord Shelburne, vol. i. pages 358-9.

† Shelburne to Price, 4th Aug., 1776, 24th Sep., 1777. Carleton to Shelburne, August, September, 1777.

as to effect a retreat to Ticonderoga, or any of the other posts he left behind him; nay, granting more than the modesty of Administration will permit them even so much as to suggest, that by subsequent successes he has formed a junction with General Clinton, and has reached New York; what end would this answer? At the expense of many millions, and two campaigns, he has reached a place by land, which he could without the least trouble or interruption have reached by sea, in almost as many weeks.” \*

On the 3rd of December Barré called upon Lord George Germaine “to declare upon his honour what was become of General Burgoyne and his troops.” Lord North admitted in reply that very disastrous information had reached him from Canada. A fierce outburst against the Ministry followed. Motions were made in both Houses of Parliament for papers. They were however successfully resisted, on the ground that as yet no official information had been received. The Ministers succeeded in adjourning Parliament on the 11th. “They could not meet,” said Shelburne, “the force of their opponents’ objections. Talk to them about the truth! Like Pilate they waived the question and adjourned the court.”\* On the 12th the official intelligence of the disaster arrived.

\* “Parliamentary History,” xix. 614.

The effect in England however was not so much to cause despondency as to arouse the national spirit. Subscriptions were raised in London and other large towns, and in Scotland, for enlisting troops; Manchester and Liverpool offered to equip two regiments of a thousand men each, at their own expense. These displays of loyalty were of doubtful legality, although the judges came forward to support Mansfield in denying that there was anything unconstitutional in private individuals raising troops by subscription without the consent of Parliament. Against this doctrine the Whig party protested. Shelburne denied that Parliament was to pay implicit obedience to the opinions of the judges. "Few questions," he said, "come before this House of which your Lordships are not as competent to decide as the judges. In grand national points, I shall never be directed by the opinion of lawyers, nor will I go to Westminster Hall to inquire whether or not the constitution is in danger."\* On another occasion, pursuing this topic he said, that when last in France, he had had a conversation with a priest on politics; when the priest declared, that his profession was of all others the best for a statesman; for whenever a priest had endangered the country by political intrigues and had thrown the public concerns into confusion, he had nothing to do but to retire to his church, content

\* "Parliamentary History," xix. 627, 924.

himself with the parade of his situation, and lie snug till public matters having taken a different turn, and having recovered their former prosperous condition, it was safe for him again to step forward, and once more become the State-pilot. What the priests did in France, the lawyers, Shelburne said, did in England. They did not busy themselves in distributing justice, but with political projects. They turned "State Quixotes," and from motives of vanity and hopes of aggrandisement, indulged themselves with mad schemes, till having nearly ruined the country, they chose a favourable opportunity for escaping from the general confusion, and seeking the shelter of their own courts.\* With equal bitterness he fell on the clergy of the Established Church. The difficulty of raising supplies being before the House, he said he had no intention to cant, nor did he mean to preach, for that was the office of the clergy; not that his silence was to be taken as implying any agreement with the Bishop of Oxford, who had not given a good answer to the charge which had been made of the bench "being clothed in blood," by preaching up a spirit of unanimity for war; and he went on to tell the Bishop, who had recommended the curtailment of all extravagant expenditure, that he could recommend another resource; which was to lop "those drones of society, the church benefices;" he alluded

\* "Parliamentary History," xix. 924.

especially, he said, to the "golden prebends," and those Church officers, who having no parochial connection, lived a life of idleness.\*

But though supported by the Law and the Church, and rejoicing in the display of public spirit which the national disasters had evoked, Lord North did not conceal from himself the gravity of the situation. On the 17th of February he introduced two bills, absolutely renouncing everything for which England had been contending since 1763. The first abandoned the right to impose any tax upon the American colonies, except for the purpose of regulating trade; the second enabled the King to appoint Commissioners with powers to treat with Congress as a legal and representative body. A difficulty it was foreseen might arise, should the Americans claim their independence in the outset of the negotiation. Shelburne advised the Ministers to try to avoid a decision, and to treat the question as was done with the preamble of bills, which are always postponed till the clauses are agreed to.† North accordingly announced that the Commissioners were not to insist on the Americans renouncing independence, till the treaty should receive a final ratification by the King and Parliament of Great Britain. Nor was Shelburne blind to the difficulty of keeping up the taxes imposed for the

\* "Parliamentary History," xix. 924.

† Walpole, "Journals," ii. 182.

purpose of regulating trade, of the intense hatred of which in America, he was clearly informed by Maurice Morgann.\* "What has come from the American Congress," he wrote to Price, "opens a new and important field for discussion, by separating regulations of trade from the consideration of a revenue. How far the riches and prosperity of a country need such regulations, as we have been accustomed to see enforced by Custom House officers, at a great expense and occasioning great corruption, this is one I conceive of many subjects, which must now be decided, however indisposed the Ministry may be for obvious reasons." †

The speech in which North announced his concessions was received with a "dull melancholy silence" and men expected "something more extraordinary and alarming than yet appeared;" ‡ nor had they long to wait; for in a few days it became known that a treaty had been signed between the Court of France and the American colonies. War with that country was now only a question of days. In this critical situation of affairs the unanimous voice of the country demanded that Chatham should take the helm. If peace was to be made with America, he was the statesman best able to

\* Morgann to Shelburne, 1768.

† Shelburne to Price, 1776.

‡ "Annual Register," 1778.

obtain advantageous terms; if the war was to be continued, he was the minister most fit to direct it: • From all quarters, directly and indirectly, he was imperatively summoned to quit his retreat. Bute abandoning for a moment the absolute retirement in which he had lived ever since 1763, expressed his opinion that his old antagonist was the man for the situation; Mansfield did the same; Richmond, though believing that it was no longer possible to defer a final separation from the revolted colonies, said, that if Lord Chatham thought it right to adopt a different course, he would be the first to give him every support in his power.

Unfortunately the other members of the Rockingham connection were unwilling to follow the example of Richmond. By the beginning of February 1778, it had become clear that any co-operation between the two leaders was impossible. "I am as entirely of your Lordship's opinion," writes Shelburne to Chatham, "as to not subscribing to the independence of the Colonies, as any one can be who does not choose to bind his future life in, I am sorry to say it, the desperate state of this country. I am perfectly satisfied, that if the Court gave the subject fair play, and the contrary language

\* See "Lord Stanhope," vi. 319-321. Lord Mahon to Lord Chatham, Feb 11th, 1778

was not held by persons out of Government, the object would be still more than attainable to us; but your Lordship may be assured a different opinion gains ground every day; and it fills me with astonishment to meet with persons totally unconnected with each other daily coming over to the acknowledgment of their independence." In almost identical terms he wrote to Dr. Price, who however was not persuaded by his arguments.\*

On the 5th of March, the American Conciliatory Bills came on for debate in the House of Lords,† when Richmond declared his willingness to consent, that the experiment of a treaty with America should be tried, if such was the sense of the House; while Shelburne declared that he hoped never to have to consent to the Independence of that country. "The moment," he emphatically said, "that the independence of America is agreed to by our Government, the sun of Great Britain is set, and we shall no longer be a powerful or respectable people." The idea he entertained was that there should be a federal connection between the two countries, which would then have the same friends and the same enemies, with one purse and one sword for common purposes. He then reprobated the idea that the loss of the

\* Shelburne to Chatham, Dec 23rd, 1777; Shelburne to Price, Dec. 1777.

† "Parliamentary History," xix. 834-877.

colonies could be compensated by a commercial treaty; "for trade and commerce," he said, "between independent states of different interests, would not be restrained; they would flow into their natural channels, in spite of every attempt to give them an artificial direction." Under the influence however of the notion held by Adam Smith and the political economists of the time, that the Navigation Act though wrong from a commercial was defensible from a political point of view, he then proceeded to adjure the House, to hold this distinction in mind and not to give up the act; \* then reverting to the question of American independence he explained that he did not mean that he never would agree to acknowledge it under any circumstances whatever; for circumstances might create a necessity for such an acknowledgment, though they could not justify the folly of an Administration, which should reduce him and the nation to so abject a situation; but when the day came on which American independence should be acknowledged, he trusted that House would with one voice call for justice on those who should be the occasion of so fatal a necessity. As to the treaty with France, the existence of which though still denied by the Government had been openly stated by Grafton at the beginning of the debate, he said that he was not

\* Adam Smith, "Wealth of Nations," iv. 2. See too Blanqui, "Histoire de l'Economie Politique," vol. ii. ch. 29.

alarmed by it, if the war with America was instantly terminated; much was to be hoped from the fact of the English and the Americans having the same religion and speaking the same language; their international relations were the same, and their interests were interwoven with one another; besides there were many dispassionate and able men in Congress, who would hesitate in completely severing the connection with the parent state, before it was absolutely necessary. But if every means which could now be suggested for restoring them to the empire, should prove abortive, the recollection of the condition in which Mr. Pitt found the country in 1757 compared with that in which he left it in 1762 should encourage all men, he said, to hope that under a vigorous administration, England might yet exist and flourish, even without a connection with America.

A few days after the debate,\* the King received a letter from Lord North expressing a wish to resign, and urging in clear and unmistakeable terms the necessity of sending for Chatham. He immediately replied by insisting that North should remain at the head of the Treasury, as his confidential minister; Thurlow was to become Chancellor in the place of Lord Bathurst, Sir Joseph Yorke Secretary of State, and Lord Weymouth Privy Seal. "Upon these

\* March 14th.

conditions," he went on to say, "I am willing, through your channel, to accept any description of persons that will come avowedly to the support of your Administration, and as such do not object to Lord Shelburne and Mr. Barré, whom personally perhaps I dislike as much as Alderman Wilkes; and I cannot give you a stronger proof of my desire to forward your wishes than taking this unpleasant step.\* But I declare in the strongest and most solemn manner, that though I do not object to your addressing yourself to Lord Chatham, yet that you must acquaint him that I shall never address myself to him, but through you; and on a clear explanation, that he is to step forth to support an Administration, wherein you are First Lord of the Treasury; and that I cannot consent to have any conversation with him, till the Ministry is formed; that if he comes into this, I will, as he supports you, receive him with open arms. I leave the whole arrangement to you, provided Lord Suffolk, Lord Weymouth, and my two able lawyers are satisfied as to their situations; but choose Ellis for Secretary at War in preference to Barré, who in that event will get a more lucrative employment, but will not be so near my person. Having said this, I will only add, to put before your eye my most inmost thoughts, that no advantage to this country, nor personal danger to myself, can ever make me address myself to Lord Chatham, or to any

other branch of Opposition. Honestly, I would rather lose the Crown I now wear, than bear the ignominy of possessing it under their shackles. I might write volumes, if I would state the feelings of my mind; but I have honestly, fairly, and affectionately told you the whole of my mind, and what I will never depart from. Should Lord Chatham wish to see me before he gives an answer, I shall most certainly refuse it. I have had enough of personal negotiation; and neither my dignity nor my feelings will ever let me again submit to it. Men of less principle and honesty than I pretend to, may look on public measures and opinions as a game. I always act from conviction; but I am shocked at the base arts all these men have used, therefore cannot go towards them; if they come to your assistance I will accept them. You have now full power to act, but I do not expect Lord Chatham and his crew will come to your assistance.”\*

On receiving this letter, North sent Mr. Eden to open negotiations with Shelburne on his behalf. The first person however to whom Eden applied, was Fox. The latter since his separation from North in 1774, had not as yet formally attached himself to any section of the Opposition, and now encouraged Eden to see Shelburne, with whom he was on good terms notwithstanding the suspicion with which he

\* The King to Lord North, March 15th, 1778.

had been brought up to regard him ; as for himself, he said, he was "unconnected and at liberty."\* Eden then proceeded to see Shelburne. "At a quarter past seven," writes Eden, "I called on Dr. Priestley, who introduced Lord Shelburne to me, and left us." In the conversation which ensued, Shelburne expressed his opinion, that if any arrangement was to be made with the Opposition, "Lord Chatham must be the dictator," and Lord Chatham, he said, thought any change insufficient, which did not comprehend and annihilate every party in the Kingdom ; that both the Duke of Grafton and Lord Rockingham must be included, though the Treasury would not be given, at least with Lord Chatham's consent, to the latter ; that a new law arrangement would have to be made, and Lord Mansfield's influence be put an end to ; Lord Gower and Lord George Germaine must certainly be removed. There was to be a meeting of the Opposition, Shelburne added, that same evening, and it was arranged that he and Eden should meet afterwards. The latter was meanwhile to convey his reply to the King.

The Opposition Meeting was unable to arrive at any terms, for Rockingham and his friends were determined to support the independence of America, while Shelburne, who represented Chatham, would

\* "Memorials of C. J. Fox," i. 180. Walpole, "Journals," i. 4. Massey, "History of England," ii. 301.

not give way upon that point. If however the propositions of Shelburne were unpalatable to Rockingham, they were still more so in the Royal closet. "His language," the King wrote to North, "is so totally contrary to the only ground on which I could have expected the service of that perfidious man, that I need not enter on it. Lord Chatham as dictator, as planning a new Administration, I appeal to my letters of yesterday if I did not clearly speak out upon. If Lord Chatham agrees to support your Administration, (or, if you like the expressions better, the "fundamentals of the present Administration,") with Lord North at the head of the Treasury, Lords Suffolk, Gower and Weymouth in great offices to their own inclination, Lord Sandwich in the Admiralty, Thurlow Chancellor, and Wedderburn as Chief Justice, I will not object to see that great man, when Lord Shelburne and Dunning, with Barré, are placed already in office; but I solemnly declare that nothing shall bring me to treat personally with Lord Chatham. If I saw Lord Chatham, he would insist on as total a change as Lord Shelburne yesterday threw out."\*

On the 17th Eden and Shelburne again met. The latter had just made a speech in the House of Lords on the King's message respecting the treaty between France and the Colonies, the tone of which

\* The King to Lord North. March 16th, 1778.

had encouraged Eden to hope that he would find him in a more pliant mood than two days before. This however was not the case; for Shelburne declared that *without* Lord Chatham any new arrangement would be inefficient and do more harm than good; and that *with* Lord Chatham an entirely new government and a change in the chief departments of the law was absolutely necessary. Disappointed in his hopes, Eden went away, after stating in the plainest language that the whole idea of Lord Chatham was "narrowness, nonsense, and harshness." They however arranged before separating, that Shelburne should go to Hayes and see Chatham, after which they were to meet again. The result of this interview was that Chatham declined to act upon any terms except those which he had already stated. Shelburne accordingly informed Eden that the time was not yet come for him to take office, and that personally "he found himself much happier in a retired station,"\* while Fox, under the influence of Burke, began from this time to gravitate towards the Rockingham connection.

Whether Chatham, had he succeeded to power, would have been able to preserve the connection between England and her colonies is a question on which the most opposite opinions have been given. There is a natural tendency to argue from the actual

\* "Memorials of Fox," i. 180-187.

result of the war, and to suppose that because England failed in the struggle, the struggle itself could not possibly have had any other result. It has also been said that Chatham himself had never indicated that he had a plan on the subject, and it has been assumed that he therefore had none. It is not however the duty of those who are likely to be called to fill responsible offices under the Crown, to indicate beforehand the details of the means which they think necessary to accomplish the ends they have in view. Chatham had himself declared that it was impossible to conquer America, and from the conversation between Lord Shelburne and Mr. Eden, it would appear that his idea was to withdraw the English troops from all the continent of America except a few strongly fortified and easily held positions on the coast, and then to concentrate all the naval and military resources of his country on the struggle with France. He would have repealed at one stroke all the vexatious legislation, which had estranged England from her colonies, and he would then have trusted to those common ties of race, religion and language, on which Shelburne had insisted, to make it possible to come to terms. The chief difficulty would probably have arisen with reference to commercial legislation. The English Navigation Laws had been practically abolished by the Americans two years previously, when they had thrown open

their ports to European commerce. The opinions of Chatham on commercial questions, were not in advance of his age, nor was Shelburne at this period altogether prepared to abandon the Navigation Act. There were however many persons in America besides the professed Loyalists who began to think peace desirable, even at the cost of making some sacrifices; nor would a certain number of commercial restrictions, even had they been insisted upon by England, have proved more burdensome to colonial industry than the depreciated paper currency which the Congress had issued, and the various oppressive measures which with as little success as wisdom they adopted to keep up its value. "A waggon load of money will now scarcely purchase a waggon load of provisions," Washington wrote at this period.\* The two years which followed the battle of Saratoga, were curiously enough those in which from a military point of view the fortunes of the American army seemed at their lowest ebb. The troops were ill-armed, ill-paid, and worse clothed; in the Northern provinces no marked success attended their arms; in the Southern provinces they lost ground; the Congress was unable to minister to the wants of the soldiers, and occupied precious time in disputes and selfish recriminations, while the ablest men seemed to prefer service in the State legislatures

\* Washington to Laurens, April 23rd, 1779.

to sitting in the central Assembly. Under these circumstances it is not impossible that if a ministry with Chatham at the head of it had been formed in England, anxious to conciliate the Colonies, and able at the same time by means of the fleet to make their alliance with France of little avail, a treaty might have been made, leaving to the United Colonies a degree of independence which would have satisfied their immediate demands, and soon have ripened into that complete liberty which is now practically enjoyed by the Canadian confederation. On the other hand, the wish for liberty when once aroused is the most difficult wish of all to extirpate, and a civil war the most difficult of all to end by reconciliation and union. The task of Chatham would in any case have taxed the highest resources of his genius, and it is more than probable that his health and strength would have given way under the effort.

Each party after the failure of Mr. Eden's negotiation went its own way. Lord North remained at the Treasury, while one section of the Opposition attended Parliament to support American independence, and the other to oppose it. Such was the state of affairs when, on the 7th of April, Richmond moved an address to the Crown, praying His Majesty to withdraw his fleets and armies from the Thirteen revolted provinces, and "to effectuate con-

ciliation with them on such terms as might preserve their good will." The exact words of the motion did not necessarily imply the recognition of American independence. Richmond however informed Shelburne that he intended to support the idea strongly in the course of his speech. "I said everything I could," the latter at once wrote to Chatham, "to dissuade him from this idea, as I see nothing but endless evil and dissension. I am in some doubt about my own conduct in this complicated scene. I have already declared very opposite opinions so distinctly, that no man can suspect me of abandoning them. On the other hand, answering the Duke of Richmond whenever he reasserts them, is in fact doing the business of Ministers, who are abundantly content to look on, hear themselves abused, (to which a certainty of indemnity has long rendered them indifferent,) and these delicate points otherwise discussed; and as long as I can bring no fresh authority with me, the cause may wear out in such weak hands. Lord Camden seems of opinion that the measure of independence, however wise before, would be useless and disgraceful since the French declaration; but is not sufficiently decided to take a part, unless your lordship's answer, as he knows of my writing, or your opinion conveyed as you may think proper, to which he has an excessive deference,

may determine him. The Duke of Grafton may then take the same line." \*

It was however found to be impossible to dissuade Richmond, and the debate took its course. Then ensued that memorable scene, when Chatham for the last time came to utter the words of confidence and patriotism, and died in the attempt. "He spoke," says Lord Camden, "but was not like himself; his speech faltered, his sentences broken, and his mind not master of itself. He made shift with difficulty to declare his opinion, but was not able to enforce it by argument. His words were shreds of unconnected eloquence, and flashes of the same fire which he, Prometheus like, had stolen from heaven, and were then returning to the place from whence they were taken. The Duke of Richmond answered him, and I cannot help giving his Grace the commendation he deserves for his candour, courtesy and liberal treatment of his illustrious adversary. Lord Chatham's fit seized him as he was attempting to rise and reply to the Duke of Richmond: he fell back upon his seat and was to all appearance in the agonies of death. This threw the whole House into confusion: every person was upon his legs in a moment, hurrying from one place to another, some sending for assistance, others producing salts, and others reviving spirits; many crowding about the Earl to observe

\* Shelburne to Chatham, March 22nd, 1778.

his countenance; all affected, most part really concerned, and even those who might have felt a secret pleasure at the accident, yet put on the appearance of distress, except only the Earl of Mansfield, who sat still almost as much unmoved as the senseless body itself. The debate was adjourned till yesterday, and then the former subject was taken up by Lord Shelburne in a speech of one hour and three-quarters. The Duke of Richmond answered; Shelburne replied: and the Duke who enjoys the privilege of the last word in that House closed the business.\* The motion was rejected by a majority of only seventeen.†

Such was the end of the Earl of Chatham, for his political retirement was followed within a month by his death. The King showed little concern at the event. Far different was the verdict of the nation. They recollected that during his Administration "Divine Providence exalted Great Britain to a height of prosperity and glory unknown to any former age,"‡ and they refused to withhold the "tribute of esteem and veneration"§ from his me-

\* Lord Camden to the Duke of Grafton, in the Autobiography of the latter.

† "Parliamentary History," xix. 1012-1059.

‡ The words of the inscription on the monument in Westminster Abbey.

§ The words of the inscription on the monument in the Guildhall.

mory. To those indeed who think that a statesman is only another name for a superior clerk, the character of Chatham will be either incomprehensible, or merely seem that of an accomplished rhetorician. Nor are the reasons of this far to seek. His want of early education had deprived him, like Shelburne, of all opportunity of acquiring a knowledge of the details of business, nor had he attempted to supply the defects of his own early training, either by himself acquiring a store of positive knowledge, or by gaining associates who could do for him what Price and Dunning were able to do for Shelburne. It would have been impossible for Walpole, however regardless of truth, to describe the latter, like Chatham, as asserting during one of the debates of 1770, that Androgeus the Lord Mayor of London defended the liberties of the city against Julius Cæsar.\* Besides his want of positive knowledge, Chatham laboured under the misfortune of having entered public life at a period when political morality was at a lower ebb than it had been at any time since the reign of Charles II. Base objects were being compassed by base men through still baser means. It was the age of Henry Fox and Bubb Dodington, of Rigby and Lady Weymouth, of personal politics tempered by public corruption. To all this Chatham personally rose superior, but while

\* "Walpole Memoirs," iv. 122

despising the example before him, he did not scruple in some measure to follow it, when to do so was necessary for his own ends. There was however this difference between his conduct and that of his contemporaries. His ends were invariably noble and even his impostures were carried out with dignity. He might flatter Lady Weymouth, but it was not in order to retain the Pay Office; he might come down to the House of Lords, robed like some ancient senator about to die for his country, but he never threw down a dagger on the floor of the House of Commons. Ambition was the lodestar of his life, but it was ambition associated with worthy objects; the reputation of his country abroad, the integrity of her free institutions at home. And precisely in proportion as his countrymen recognised this to be the fact, they forgave the affectation and the mystery, the waywardness and the contradictory conduct, and all the other defects, of which Shelburne in his Autobiography has left so unsparing a record. "You should have been under the wand of the charmer yourself," is said to have been the observation of the younger Pitt, in reply to those who expressed wonder at the enormous power exercised by the eloquence of Fox over the House of Commons. The same observation suggests itself to the student of the career of Chatham. His personality, which his contemporaries alone could properly appreciate,

was his strength. Owing to it, from the moment when in the full force of his genius he first rose to speak in the House of Commons, to that when a weary and broken old man he sank on the floor of the House of Lords, the public confidence never for any considerable period deserted him. He may have talked about Androgeus and Julius Cæsar, but there is no doubt that he uttered the speech about Magna Charta, which remains an eternal monument of the highest eloquence employed on the noblest subjects.\* He possessed the rare quality of transfusing others with his own enthusiasm, and making himself the incarnation of the public hopes and fears. He believed that he alone could save the nation, and the nation thought so too. No man could so readily grasp the chief features of a difficult situation, or so easily lay down the main lines of the necessary measures. Possessed of these qualities and partly in consequence of them, he looked down from the lofty height of his own contempt on the politicians of the day. They were the vile instruments whom he might require to use, but he would throw them aside whenever he chose, for there were plenty of others as good as they. His statue in Westminster Abbey seems to denounce the vain attempts of the effigy of one of the Dukes of Newcastle, who lies

\* Speech of January 9th, 1770, on the case of Wilkes, in reply to Lord Mansfield.

opposite, to rise to heaven. The attitude of the lifeless statue represents that of the living statesman to the Newcastle of his own time and to all the followers and successors of the Pelhams. He did not sufficiently recognise that as he grew old, and partly as the result of his own example, a purer race of political men was growing up. He made no friends, he had no intimate companions, he lived apart and alone. Even Shelburne, of whom he evidently had a better opinion than of most of his contemporaries, was never admitted to his real confidence. Their correspondence nearly always shows the former addressing his chief like some doubtful worshipper at the shrine of a god, whose oracular utterances are as likely to prove his destruction as his salvation. Such was Chatham, the inspired statesman, and the most commanding figure of English History during the first half of the eighteenth century. The small band of statesmen which in his declining days still recognised him as their chief, and now followed him to the grave, chose Shelburne as his successor at this perilous conjuncture.

It was the opinion of Walpole that Lord Temple practically died on the same day as his brother-in-law.\* Nor was the actual event long delayed. While driving in the park at Stowe, this once celebrated statesman, "the *ignis fatuus* of a brighter

\* Walpole, "Letters," vii. 253.

epoch,"\* was thrown out of a chaise on a heap of bricks, fractured his skull and died. He had once been a leader, but had not a single follower at the moment of his decease, and after throwing away three separate opportunities of ruling the nation, lived to see it almost forget his existence. Shelburne who both as a neighbour and a statesman had had frequent opportunities of studying his character, has left the following account of the celebrated owner of Stowe.

"LORD TEMPLE.

"Lord Temple was one of those characters that it is impossible to draw without antithesis. Pride was his ruling passion, which even his best friends must allow often drew him into insolence, and gave him a degree of presumption which his talents, though by no means inferior, did not justify. He scorned to owe anything to the reflected lustre of another, even of his brother-in-law, as appeared first in the business of the garter, and since in every political negotiation they were engaged in. From his dependants and the other branches of his family, he expected a degree of deference to his opinions and inclinations, which was not consistent with their interest or their dignity; and occasioned the breach with his brother Mr. Grenville, whose abilities deservedly carried him

\* Walpole, "*Letters*," vii. 251.

to the first situation. At the same time he seldom made any sacrifices to their objects, or entitled himself to their affections by acts of kindness or generosity. Yet with all this pride, he was one of the most affable of men. He was easy of access and caressing to his inferiors. His society was cheerful and *débonnaire* even to boyishness, and he would bear almost anything to be said to him by those who lived with him. He was magnificent in his buildings and loved ostentation, which his great income, seldom diminished by instances of free bounty and not a little increased by constant parsimony, enabled him to indulge in rendering Stowe one of the finest private palaces in Europe. But in his buildings and gardens may be always seen an attention to economy, that disgraced his splendour and marked his character. Whenever he gave, it was either at the earnest solicitation of those whom he could not refuse, or to gain some object to his vanity or ambition. He knew nothing of the pleasure of giving. His temper was easy and pleasant in his own house, and his domestics did with him just what they pleased; that is served him as ill as possible, which he never discovered. Yet whoever has heard him in parliament or in his closet upon political subjects, knows that the rancour and violence of his mind were almost incapable of bounds during the fit of passion, which however was not often

durable, at least to one object ; for he forgave easily, and friendship was often the consequence of his resentment. With all this, he had great strength and firmness of mind, was above all temptations of interest in his public conduct, and boasted that he was the only man the King had never duped. His opinions upon that subject were steady and uniform, as was his opposition from the time he left office. He had an unaffected and ardent zeal for what he thought the interest of his country, and to that he would have been capable of making any sacrifice. It was from that consideration he broke with Lord Chatham, who he thought betrayed Great Britain to America in the contest about the Stamp Act, and reconciled himself to his brother Mr. Grenville ; not from caprice but from conviction, and by the same opinions he abided to the hour of his death. He entertained a most sovereign contempt for the Royal closet without any exception, which he never wished to conceal, even at his table, and carried it to the exulting publicly over every instance of humiliation that the times have brought upon the Crown. This alone was his connection with Wilkes, and with the City, which however had been long discontinued when he died. When his brother died, whom he lamented as sincerely as if he had never hated him, he saw there was no further prospect for his ambition, and his conduct for the last years of his life had

as much dignity in it in his retirement, as it had been before marked with faction and intemperance in the heat of his career. His understanding if not equal to the first-rate, was at the head of the second; more solid than brilliant. He was not easily deceived by specious argument, and his experience had taught him a knowledge of mankind that made it difficult to impose upon him. Though he read little, he was not incapable of application, but he could not have continued it in business. His eloquence, if it deserves that name, consisted more in the strength and vehemence of his attack, and the saying boldly whatever others would have had the most management about, than in graceful and elegant language, or copious declamation. In politics he pursued his game with the eagerness of a fox-chase, and the wantonness of a schoolboy, and to the last could receive no entertainment at Stowe, but from a pamphlet, newspaper, or a plan upon the table. He was never remarkable for the tender passion, though his youth had not been averse to gallantry and his old age delighted in playing with young women, but he always considered it as an amusement not a serious occupation. His Countess,\* who had many amiable qualities (not the least of which in his opinion was the great fortune she brought him), had not the advantage of person when young, and had been long

\* Anne Chambers, of Hanworth, Middlesex.

an object of disgust. He always treated her opinions with more impatience and contempt than she deserved, and did not seem to find the least resource in her conversation. Yet when she died he was inconsolable. His health manifestly declined daily, and all his gaiety forsook him. Was it a tender recollection of the constant devotion she had always shewn him, or the feeling himself abandoned by the last old friend that remained to him, or the presentiment of his approaching end which so many recent warnings could not but bring forward to his own feelings, or was it perhaps to all these complicated sentiments together that we are to attribute the effect?"

The death of Chatham secured North in power. The followers of Shelburne were not strong enough to form a government by themselves, and refused to coalesce with the Ministers. The followers of Rockingham were committed to the independence of America, and were unwilling to join the other section of the Whig party. "I am ready and desirous to act in concert with them," writes Lord John Cavendish to Rockingham with reference to some overtures made by the Court in June, "but I am strongly and clearly against dividing the bear's skin."\* The condition of the Opposition was a source of unmingled satisfaction to the King. He

<sup>4</sup> "Memoirs of Rockingham," ii. 354-355.

summoned Thurlow to the Upper House in order to strengthen the debating power of the Ministry, and made him Chancellor in the place of Lord Bathurst. At the same time Lord North was created Warden of the Cinque Ports, his official emoluments being thereby raised to £12,000 a year. "There was no danger under the circumstances," said Shelburne, "of the breed of the true Court spaniel becoming extinct."

The new Warden of the Cinque Ports was fortunate in being the holder of what was become only an honorary office in regard to the defence of the coast; for the year which followed the death of Chatham saw one long succession of disasters to the English arms, especially at sea. Howe found himself without warning suddenly confronted by a superior French fleet in the West Indies; Keppel was in the same position in the Channel. Only the skill of the commanders saved their fleets from destruction. Keppel was tried by Court martial, but the charges against him were pronounced malicious and ill-founded. The decision was looked upon as a party victory, for Keppel belonged to the Opposition. During the trial the leaders of the Whigs established themselves at Portsmouth. Shelburne sarcastically proposed that an Act of Parliament should pass to hold the Parliament on board ship, and Charles Fox being

\* "Parliamentary History," xix. 1267.

told by one of the Cavendishes that their friends at Portsmouth were finely warm, replied, "Then I will go thither: I want to see what their warmth is; I have never seen any in them."\*

"During these various, unhappy, and serious occurrences," says the Duke of Grafton, "Lord North was well known by his friends, and indeed by some of us, to be very uneasy in his situation and at intervals very anxious to quit it. Two applications came to myself from His Majesty, and as I understood with Lord North's knowledge, and assent: but as one proposed only a desire to admit Lord Camden and myself, into such offices as should please us best, this overture took but little time in consideration, though it showed how ill-informed they were of our manner of thinking and acting. The second proposition being conveyed through Lord Hertford, and with an intimation at the same time to me, that Lord North was very willing to make room, and give facility in forming a new arrangement without him, the application called for further attention. I saw in the evening at Lord Gower's by appointment the Lord Chancellor and Lord Weymouth. The latter Lord took the principal part. It was confirmed by his Lordship, that Lord North both knew and approved of this meeting; that we might

\* "Rockingham Memoirs," ii. 869. Walpole "Journals," ii. 331.

discuss the business as if he was already out of office, and that Lords Camden and Shelburne would find greater facility in his Majesty towards forming an Administration than they would expect. I only replied, that as his Majesty allowed me to consult both Lords Shelburne and Camden, I should be unwilling to risk an answer on a point so important without the sanction of their concurrence. I found them waiting for my return from the meeting; and we sent an answer that very evening Feb. 3, 1779, in these precise words to Lord Weymouth, as they had been drawn up jointly by Lords Camden, Shelburne and myself:—

“‘That it is impossible to give an answer to Lord Weymouth, till such time as a proper application can be made to Lord Rockingham and the Duke of Richmond, to know their sentiments.’

“On hearing nothing further from Ministers we concluded that the answer of us three had closed the business, by which it was apparent that the Court were not yet disposed to trust the reins of Government into the hands of the whole Opposition, or to adopt a change of system and of measures. We derived however one essential advantage from the opportunity it gave of showing to Lord Rockingham, the Cavendishes, Mr. Fox, and their principal friends that we would not stir except in conjunction with them. This circumstance cemented the Opposition

into a more solid body, and furnished the means that Lord Camden and I improved, by persuading Lord Shelburne not to contest with Lord Rockingham the Treasury, in case a new Administration was to be formed. Lord Shelburne yielded the point with a better grace than I had expected, and it must be considered as of consequence, since nothing could be more generally circulated by the Ministerial party or more universally credited than the impossibility of such a compliance ever existing between the Leaders of Opposition.”\*

The proposals of the Commissioners appointed under the second of Lord North’s Conciliatory bills, were summarily rejected by Congress. Before leaving America they issued a Proclamation which contained threats of carrying on the war in future with the utmost severity. The proclamation was said to have received the approval of Mansfield, against whom it had been an article of accusation in former years that when prosecuting the rebels of 1745, he never applied the epithet *rebels*, or any other harsh epithets to them. This charge he did not attempt at the time to deny, for he said that he had the honour to serve a benign prince and prosecute on behalf of a great and merciful people, and that to obtain Lord Coke’s fortune, he would not have used the expressions which Lord Coke had used against Sir

\* Autobiography of the Duke of Grafton.

Walter Raleigh. Shelburne now said that he regretted that Lord Mansfield had not retained the benignant ideas and benevolent disposition of Sir William Murray.\* The attacks of Fox, Burke, Barré and Thomas Townshend in the House of Commons were equally vigorous.

It was upon one of these debates, that Garrick the intimate friend of so many members of the Opposition, wrote the following lines, specially addressed to Mr. Baldwin, member for Shropshire, who had complained of his being admitted under the gallery, and having said that "he gloried in his situation":—

"Squire Baldwin rose with deep intent,  
And notified to Parliament,  
That I, (it was a shame, a sin,)  
When others were shut out, got in ;  
Asserting in his wise oration,  
'I gloried in my situation.'  
Perhaps my features might betray,  
Unusual joy I felt that day.  
I glory when my mind is feasted  
With dainties it has seldom tasted ;  
When reason chooses Fox's tongue  
To be more rapid, clear, and strong.  
When, from his classic urn, Burke pours  
A copious stream thro' beds of flowers :  
When Thurlow's words attention find,  
The spells of a superior mind.  
When Barré stern with accents deep,  
Calls up Lord North and murders sleep ;

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\* "Parliamentary History," xx. 34, 35.

And if his Lordship rise to speak  
Then wit and argument awake.  
Now whether I am Whig or Tory  
This was a time for me to glory;  
My glory further still extends,  
For most of these I call my friends;  
But if Squire Baldwin, you were hurt,  
To see me as you thought so pert,  
You might, to punish my transgression,  
Have dumb'd my triumph of expression,  
Have changed my looks of joy and gladness  
To dull, desponding, sober sadness.  
A beast there is whose voice confounds  
And frights all others with strange sounds.  
Like him your matchless powers displaying,  
Had you, Squire Baldwin, set a braying,  
I should have lost all exultation,  
Nor gloried in my situation."

Notwithstanding the eloquence which so affected Garrick, Barré was about this time the subject of a laughable incident. During the recess, Richard Tickell had published an amusing pamphlet entitled, 'Anticipations of the coming Session,' in which he took off the peculiarities of the chief speakers in Parliament, with much humour and exactitude; amongst others the habit in which the gallant Colonel indulged of quoting Latin and French, and then translating for the benefit of his more uneducated hearers. Almost every one had read the pamphlet, except Barré, who had been in the country, and only arrived in the town just before the opening of Parliament. He rose to speak early in the Debate

on the Address, and at once betrayed the foible which Tickell had ridiculed. At every new instance the House laughed and laughed again. Barré was of course completely unable to understand the joke, and vainly sought an explanation, which naturally only served to increase the merriment at his expense.\*

The inferiority of England on that element where hitherto she had reigned supreme, encouraged Spain to put an end to her hesitations, and once more to throw in her lot with France, after offering her mediation on terms which England could not accept. In the debate which followed the issue of the Spanish manifesto on the 16th of June, Shelburne plainly declared that it was the incapacity of the ministers, and especially of Lord George Germaine and Lord Sandwich, which had added the court of Madrid to the number of the enemies of England; and he added that the state and condition of affairs was much changed since he gave his sentiments respecting the proper conduct to be pursued with regard to America. From this time forward though not abandoning the idea that a connection between the two countries might still be preserved, he acknowledged that it could only be through negotiations, preceded by the complete withdrawal of English troops from the colonies.†

\* "Moore's Journals," iv. 34.

† "Parliamentary History," xx. 885.

The Spanish fleet now joined the French Channel squadron, and the English Admiralty could only muster thirty-six ships-of-the-line under Sir Charles Hardy, to meet the combined forces of the enemy. An invasion was hourly expected. The Standing Orders of both Houses were suspended, amidst the protests of the Opposition, in order to hurry through a measure suspending all exceptions from impressment. A camp was formed on Cox Heath, and a large force was assembled, but the gloomiest anticipations were prevalent, for the fleet was weak, and little reliance was placed on the land forces.

“If the enemy,” Barré wrote to Shelburne, “should, even after a sort of drawn battle with our fleet, land anywhere in England in great force, I think the King will not risk a battle, marching as General at the head of his Army, and meaning in some shape or other to measure himself with M. De Vaux, or to save his Kingdom by a well-judged and obstinate defence. I am apprehensive that something like an underhand Armistice will steal upon us, the real business be taken out of military hands, and such men as Mr. Stanley and Lord Mountstuart be employed to remove the French Army out of the Island. Such a conduct appears to me natural to the Court, and I fear the Country would be glad to get rid of the horrors of War at any rate.

“ If the French are wise, all their objects, after landing, may be attained in a short time, especially that greatest of all, the making a Peace, sword in hand and upon English ground. In the above supposed posture of public affairs, if Opposition should content itself with whiling away their time in the country till our wretched Parliament meets, not knowing what to wish for or what to do, and above all, leaving it to this Administration to get us out of that storm which in truth they have raised themselves; then we are in my opinion a completely ruined people. — The country will have nobody to look up to, Opposition will in fact be more contemptible and full as criminal as Administration; any peace will be accepted of, without ever considering that the day on which we submit to disgraceful terms, we in fact sign our own annihilation. The nation, God knows, is base enough; yet surely there is a great deal of manly though scattered and divided spirit amongst us. Let it be called forth.

“ Opposition should in my opinion assemble immediately in London, establish a correspondence by express everywhere along the coast, try every method to draw the attention of the public, give themselves as much as possible the air (though out of office) of Roman Consuls who were to take care *Ne quid detrimenti Respublica capiat*; they should watch events, seize favourable moments, and perhaps

catching the crisis when the balance of England stands trembling on its beam, by some bold and daring measure, stun the Court, awake the People, and then take the reins of Government into their own hands.

“ It may be said in defence of the doctrine ‘ That we should let them who brought us into this situation, get us out of it,’ that should they make a dishonourable peace, the country will not bear it, and the consequence will be the overturn of the present Administration, and the ruin of the system. The former is not a very great object, unless the latter is the absolute consequence. But I doubt both. Corruption and cowardice will be probably for the present very effectual protectors.

“ We are rather a vain-glorious talking people, but our bottom has been great and our name high. We may skulk under a veil however thin, from the great cause of defending our country ; but when means are held out, when men of great rank, character and property call upon us loudly and publicly to unite and save the kingdom ; we have no excuse, we can’t give the lie to all our boastings. No, the measure itself will make us brave.”\*

Fortunately the approach of the stormy season and the outbreak of disease on board the crowded ships of the enemy saved England from a greater

\* Barré to Shelburne, 1779.

danger than she had run since the days of Beachy Head. The Prime Minister when Parliament met was able to say that the immense armaments of the enemy had paraded to no purpose, and that their millions had been spent in vain. But while using the language of confidence, North was himself despairing of final success, and he was now deserted by two of his ablest colleagues, Gower and Weymouth, both of whom refused to endeavour to preserve a system any longer, which they foresaw must end in ruin. About the same time Lord Suffolk died. The vacant places were filled by Lord Bathurst, who became President of the Council, while the Seals were given to Hillsborough and Stormont. The war was to go on. It was the wish of the King. North obeyed, and the victory gained by Admiral Rodney off Cape St. Vincent came at this moment to encourage him to persevere in his arduous and thankless task.

## CHAPTER II.

LORD SHELBURNE AND LORD NORTH.

1779—1780.

IN 1778 Lord Shelburne had been engaged to be married to Miss Molesworth, but the engagement was broken off. "Your divine Miss Molesworth," Miss Elliot wrote to her brother Hugh Elliot then at Berlin, and once the admirer of the lady, "has surprised the world by breaking off from Lord Shelburne. She dined at his house and sat at the head of the table and was seen to cry all dinner-time. Her aunt, when she came home, asked her what was the matter. She made no answer, but ran upstairs to her own room, and sent Lady Lucan a letter to tell her she found she had an antipathy to Lord Shelburne, and begged she would break off the detested match; which was accordingly done, by showing his Lordship the letter. He was angry, as you will believe, to lose 40,000*l.* and so pretty a wife, but put a good face upon it, and said it was

proper the ladies should settle those matters.”\* However the following year a lady was found more faithful than Miss Molesworth. “I am delighted” Walpole wrote on the 16th of June “with the confirmation of Lady Louisa Fitzpatrick’s match. My acquaintance with Lord Shelburne is very slight; but two essential points are Gospel, that he is a man of sense, and that he made an excellent husband to a wife far inferior to Lady Louisa in beauty. There is a third, which though negative, I reckon a capital merit at present: he is not a gamester.”† It must have cost Walpole an effort to write these words, but he knew his correspondent, Lady Ossory, to be not only his own intimate friend, but also the sister-in-law of the future Lady Shelburne and a strong partizan of the marriage. In writing to her he accordingly suppressed the feelings with which he habitually approached the consideration of Shelburne’s sayings and doings, waiting to relieve his pent up feelings, for the moment when he left his letters to return to his Journals. By his marriage, Shelburne became brother-in-law to Richard Fitzpatrick the wit, and a connection of Charles Fox, whose brother Stephen, Lord Holland, had married Lady Mary, sister of Lady Louisa Fitzpatrick.

\* “Memoir of Hugh Elliot,” by the Countess of Minto, p. 147.

† Walpole to Lady Ossory, June 16th, 1779.

Owing to this family alliance, followed by the political negotiations detailed in the previous chapter, the Opposition by the end of 1779 was once more a united party. "Their principles," said Shelburne, "were the same; their future rule of conduct was to be correspondent; whatever different opinions they might have held, they no longer interfered with their general plan; they were confidentially and fully united in the great leading principle of new men and new measures; if the salvation of the country was to be effected, it was only by those means; if the country was to be saved from ruin, it could only be by a change of system."\* There was indeed hardly any department of public policy which did not urgently call for attention. The organisation of the Army, the administration of the Fleet, the overgrown influence of the Crown in Parliament, were all crying grievances. But first and foremost stood the condition of Ireland.

Ever since the struggle on the Army Bill in 1768, there had been little alteration in the condition of the sister kingdom. Lord Townshend soon found that it was impossible in practice to manage the Irish Parliament without corruption, and although a certain change resulted from the struggle on the Augmentation Bill† in the composition of the party

\* "Parliamentary History," xix. 1165.

† See vol. ii. ch. ii.

which represented the interests of the Castle, that party was none the less subject to self-interest as a guiding motive, and was only kept together by rewards and pensions. Lord Shannon with his friends hovered between the Patriots and the Castle, anxious to flatter the first, yet determined to thwart every scheme of reform, if the opportunity offered, and ready to return to his old allegiance, if he could at the same time secure his ancient power and patronage. Meanwhile the commercial grievances and religious inequalities of Ireland remained undressed. The only encouraging circumstance was the steady increase within the walls of Parliament of the small number of men who could be patriotic without being factious, and were too pure-minded to sell their country for a pension, or abandon her cause for a place.

How long this state of affairs might have continued but for the American War it is difficult to say. It lasted through the remainder of the Lord-Lieutenancy of Townshend, and through that of his successor Lord Harcourt. In some respects a change was even made for the worse, for in defiance of the arrangement by which the woollen trade of Ireland had been sacrificed to that of England, heavy import duties were laid in England upon Irish linens, with the immediate effect of depressing the Irish manufacture. An immense emigration at once

began from Ulster to America, and in the ranks of the American army were found ranged many of those who by race and religion ought to have been the best friends of England in Ireland.\* A bill to enable the King's subjects of whatever persuasion to testify their allegiance upon oath, served only to remind the Catholics of the fearful disabilities under which they laboured.† The war with America by closing the American market to Irish linens still further increased the distress in the North. The condition of the South of the island was even worse.

An embargo laid upon the export of provisions sent down the value of cattle and wool, and of land; rents were everywhere in arrear; the taxes could not be collected; the Budget showed a constant deficit; the funded and the unfunded debt went on increasing; public credit was destroyed. Meanwhile French and American privateers rode unmolested off the coast, and an invasion was looked for, without either a fleet or an army to resist. It was necessary to do something, but difficult to do much, for George III. told his advisers that "experience had convinced him that England gained nothing by granting indulgence to her dependencies."‡

"Look upon the map," Shelburne wrote to Price,

\* "Plowden's Ireland," ii. 178.

† 13 14 George III. c. xxxv.

‡ George III. to North, Nov. 1778.

“and you’ll see a little Isle called Valentia in the South Western corner of the Old World. Opposite to this I have been this fortnight, where I found the land in a state of nature, the people worse: the result of poverty, and the Popery laws, which are subversive of all morality, public or private confidence, and industry. I found these poor people under a degree of oppression scarcely conceivable. The head tenants have no idea of drawing their subsistence from cultivating the ground, but from racking the poor people, which goes sometimes four or five deep, till you find the real occupier very little removed from the brute creation, in appearance, food, dress, or state of mind. They have refined to such a degree upon this system, that I found a considerable tenant letting his land in *ounces*,\* a new measure containing I suppose half a rood. The clergy are the worst landlords of all, and what mortifies me, is that they shall demand tythe the very first year upon land which I give amongst the poor, rent free for twenty years.

“I find all classes in this kingdom much more animated about America than in England. In every Protestant or Dissenters’ house, the established toast is success to the Americans. Among the Roman

\* *Unciata terræ. Modus agri, sc. duodecima pars jugeri. In chartâ Thomæ Regis Manniæ an. 1055 in Monastico Anglic. T. i., p. 718. Du Cange, Glossary.*

Catholics they not only talk but act very freely on the other side. They have in different parts entered into associations, and subscribed largely to levy men against America, avowing their dislike of a Constitution here or in America, of which they are not allowed to participate. On the other hand the Parliament pretend to no will but that of the Ministers.”\*

The King however could not silence the voice of the English Parliament, and during the session of 1778 Irish affairs were more than once brought before the House of Commons. On the 7th of April, 1778, Lord Nugent moved a series of resolutions to the effect that goods and merchandise, with the exception of wool and woollen manufactures, should be permitted to be exported directly from Ireland to any of the plantations and settlements of Great Britain, that similarly colonial produce should be allowed to be imported into Ireland, that the duties on cotton yarn of Irish manufacture should be repealed, and the prohibition of the exportation of glass should be removed. The resolutions were carried. Thereupon a fierce opposition arose from all the great English trading towns, and the Ministry in consternation, notwithstanding the able support of Burke, withdrew their countenance from the measure. When the Bills founded on the resolutions became law, they

\* Shelburne to Price, 5th Sept., 1779.

were reduced to a bare allowance of a free export of all Irish produce, always excepting the most important item of all: woollens. The embargo at the same time was taken off. The discontent in Ireland at once took alarming dimensions. North hoped to conjure the storm by removing some of the Catholic disabilities. The opportunity seemed favourable.

On the motion of Sir George Savile seconded by Dunning, a Bill had just passed the English Parliament to relieve the Roman Catholics. Priests and Jesuits were relieved from the frightful penalties which attached to officiating in the services of their Church. Popish heirs educated abroad were no longer to forfeit their estates, nor were Protestant heirs to be able to oust Catholic owners otherwise legally entitled, and Catholics were to be no longer forbidden from acquiring legal property by means other than descent. "These prohibitions," said Dunning, "ought only to be mentioned in order to excite indignation, for they placed Roman Catholics at the mercy of informers, the lowest and basest of mankind."\* Shelburne, in supporting the measure in the House of Lords, adverted to the case of a Mr. Molony, who had been apprehended and brought to trial by a well-known informer in London, and on conviction of being a Popish priest, had been condemned to perpetual imprisonment. The sentence, he added, would

\* "Parliamentary History," xix. 1140.

have been executed, had not he himself, as Secretary of State, advised the King to grant a pardon.\* A similar measure was now passed through the Irish Parliament,† and measures were at the same time taken to put the country in some state of defence by passing a Militia bill and making a loan to the Irish government. These tardy measures however gave neither satisfaction nor security, and armed and well organised bodies of volunteers began to assemble without the sanction of the Government, nominally to protect the country : in reality to obtain a redress of grievances also. These associations, Shelburne told the House of Lords, would only be dissolved when it was known that the English Parliament intended to grant real relief.‡ A practical proof of their necessity as against the enemy was shortly given ; the towns of Belfast and Carrickfergus having applied to the Government for garrisons, were told that only sixty troopers could be spared from Dublin.

On the 11th of May, 1779, Rockingham brought forward a resolution asking for papers, and condemning the Administration for their neglect of the affairs of Ireland. On the motion of Gower, whom Shelburne supported, that portion of the resolution which censured the Government was omitted, in order to give

\* "Parliamentary History," xix. 1145.

† 17, 18 George III. c. 49.

‡ "Parliamentary History," xx. 650.

time for the development of their policy.\* For his conduct on this occasion, Shelburne was loudly accused by many persons in Ireland of having betrayed their cause; an opinion which was also conveyed to him by more than one anonymous correspondent. Nothing was however done by the Government, and not long after the debate on Rockingham's motion, North himself took the opportunity of declaring, that it was out of his power to form a plan for the relief of Ireland; that next session he would lay the necessary accounts before Parliament, and leave the business to them, expressing at the same time some doubts as to the real existence of the wrongs of Ireland.† Incensed at this language, and at the neglect of the Government, Shelburne on the 2nd of June moved—

“That this House do present an humble Address to his Majesty, requesting that his Majesty would be graciously pleased to order to be laid before this House, ‘an account of such steps as have been taken in consequence of the Address of this House of the 11th of May, and of his Majesty’s most gracious Answer thereto; , and humbly to recommend to his Majesty, if his royal prerogative, as vested in his Majesty by the constitution, be not adequate to the relief of the acknowledged, distressed, and impoverished state of his Majesty’s loyal and well-deserving subjects of Ireland, that he would be pleased to continue the parliament of this Kingdom as now assembled, and give immediate orders for calling forthwith his parliament of Ireland, that their just complaints

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\* “Parliamentary History,” xx. 635.

† “Parliamentary History,” xx. 664.

may be fully considered and remedied without delay; that the wonted union of affection may be preserved between both Kingdoms, always desirable, but in the present position of public affairs absolutely essential and indispensable to the preservation and welfare of both; and that the united strength of Great Britain and Ireland may in due time, and with due effect, be exerted, under the blessing of God, against the common enemy."

In the course of his speech, he declared that the American war had commenced on less provocation than this country had given Ireland. The resolution, though supported by the whole Opposition, was rejected by a large majority.\*

In October the Irish Parliament met. It was a very different assembly from its predecessor, if only because it contained Henry Grattan. On the 12th of October, through his instrumentality, an amendment to the Address was carried in the following words: "That it is not by temporary expedients, but by a free trade alone, that this nation is now to be saved from impending ruin." Non-importation agreements, after the American fashion, began also to be made, and the volunteer movement assumed gigantic proportions.† In England, the Opposition who, it has been seen, had closed their ranks, began an equally vigorous campaign.

On the 1st of December Shelburne again called attention to the affairs of Ireland, and moved a vote

\* "Parliamentary History," xx. 663.

† Plowden, "History of Ireland," ii. 185-191.

of censure upon the Administration. He began by painting the consequences of their neglect. "Ireland," he said, "now disclaimed any connection with Great Britain; and put herself into a condition of defence against her foreign enemies. Oppressed by England, and at length reduced to a state of calamity and distress, experienced by no other country that ever existed unless visited by war or famine, and perceiving that all prospect of justice or relief was in a manner closed, and that she must perish or work out her own salvation, she united as one man to rescue herself from that approaching destruction, which seemed to await her. The people had armed themselves, and the numbers armed had increased to upwards of 40,000 men, and were daily augmenting. This most formidable body was not composed of mercenaries, who had little or no interest in the issue, but of the nobility, gentry, merchants, citizens, and respectable yeomanry: men able and willing to devote their time and part of their property to the security of their country. The Government had abdicated, and the people had resumed the powers vested in it; and in so doing were fully authorised by every principle of the constitution, and every motive of self-preservation."

To prove that these were the declared and real sentiments of the whole Irish nation, Shelburne declared he should not dwell upon the resolutions of county and town meetings, or upon the language

of the Associations, or upon the general prevalent spirit of all descriptions of men and of all religions : matters of this kind, however true or manifest, were subjects which might admit of controversy. He would solely confine himself to a passage contained in a State paper ; he meant the Address of both Houses of the Irish parliament, declaring that nothing but granting the Kingdom “ a free trade ” could save it from certain ruin. “ Here was the united voice of the country, conveyed through its proper constitutional organs, both Houses of Parliament, to his Majesty, against which there was but one dissenting voice in the Houses,\* and not a second, he believed, in the whole Kingdom. Church of England men and Roman Catholics, dissenters and sectaries of all denominations ; Whigs and Tories ; placemen, pensioners, and country gentlemen ; Englishmen by birth ; in short, every man in and out of the House, except the single instance mentioned, had all united in a single opinion, that nothing would relieve the country short of a free trade.” He however pointed out that free trade would not cure all the wrongs of Ireland. The country suffered under many other grievances besides commercial restraint ; amongst these he especially mentioned the Crown being invested with the disposal of the hereditary revenue, which became an endless source of corruption, and he dwelt on the deplorable condition of the Established

Church.\* The motion was again rejected by a large majority.

The Irish House of Commons now carried by a majority of 170 to 47 a resolution to grant no new taxes. They then passed a six months' money bill by 138 to 100.† Lord North at length understood that he could no longer throw the responsibility of action off his own shoulders on to those of Parliament. On the 12th of December he proposed and subsequently carried three Bills for the relief of the commerce of Ireland, giving her a free export of her wool, woollens, and wool flocks; a free exportation of glass and glass manufacture; and a freedom of intercourse with the British plantations on the basis of an equality of taxes and customs upon an unrestrained trade.‡ These great concessions were received with unbounded joy; but the Irish question was not yet solved, either commercially or politically, as Shelburne had already warned the English Parliament.

The next triumph of the Opposition was their carrying, and almost without resistance, the same measure of relief from subscription, which the Bishops had contumeliously rejected in 1772. "From what I see," Richmond wrote to Shelburne, "a

\* "Parliamentary History," xx. 1156.

† 10 Com. Journ., p. 34.

‡ "Parliamentary History," xx. 1272.

general spirit is rising. I do not expect such immediate effects as some do, but I think it will be gradual, only to become more formidable if commonly well managed.”\* All over the country the enormous cost and the want of success attending the war, was causing general indignation. Enquiry was naturally stimulated into the expenditure, and the question began to be asked, whether even if the war was to be continued, the burdens of the country might not be lightened by a curtailment of pensions and of sinecure places, by a more rigid application of the supplies to the objects to which they had been appropriated, and by placing a check on the presentation of supplementary estimates for expenses in reality actually incurred, or as they were termed “extraordinaries.” In the month of December 1779, a great public meeting in Yorkshire, at which every section of the Whig Party was represented, drew up a petition to Parliament on these subjects, and appointed a committee to carry on a correspondence with other counties, and to prepare a plan for a National Association. The movement did not fail to spread, and though in some cases by secret machinations, and in a few by open opposition, the Court party attempted to resist, it rapidly became, through the numbers, character, and position of those who shared in it, more formidable than any movement since the Revolution.

\* Richmond to Shelburne, Dec. 7th, 1779. See vol. ii. p. 252.

ary. On the 2nd of that month a great meeting was held in Westminster Hall, when in the presence of 3,000 persons, and with Wilkes standing by the side of the Duke of Portland, Fox was adopted as the Whig candidate. The Court party vainly struggled against the stream. They dispersed hand-bills on the dearness of coals, and excited the people against Richmond as enriched by the Coal Tax. They obtained the dismissal of Lord Caermarthen from the Lord Lieutenancy of the East Riding for having countenanced the Yorkshire petition, of Lord Pembroke from that of Wiltshire, and of the Duke of Richmond from that of Sussex; but these marks of Royal indignation only increased the popularity of their victims.

On the 8th, Shelburne brought forward a motion for a Committee of both Houses consisting of neither placemen nor pensioners, to inquire into the expenditure of the public money. He wished, he said, to annihilate the undue influence operating upon both Houses of Parliament, and to establish a constitutional power, instead of an unconstitutional influence. Having thus stated his object, he proceeded to dwell on the enormous increase of debt and taxation, and the wasteful manner in which loans were contracted; illustrating his position by a review of the various financial measures taken since the outbreak of the American war, and attributing all the errors

which had been committed, in the first place to the mistaken policy of Lord North, and in the second place to his reckless administration. He then proceeded to work out the latter topic in detail, using the papers which he had recently purchased at the sale of Mr. West, late Secretary of the Treasury, and pointing out how especially in the Admiralty and War Office, there was no real system of account. Those offices drew on the Treasury to any amount they pleased ; warrants were struck in consequence of their requisitions ; but when the Treasury asked for vouchers for the expenditure of the money, the answer was that they had not come to hand ; the consequence being that accounts in some cases were fifteen or twenty years behind hand. The supplies were perpetually exceeded ; supplementary estimates containing gross amounts were then presented, and the money was voted without anybody being informed how it had been expended. Certain flagrant cases however had recently come to light, notwithstanding the efforts of Ministers to suppress them. The contractors were known, who by their corrupt influence in Parliament were a curse to the country, and had amassed immense private fortunes by public rapine and plunder. There was Mr. Stuart who had cleared 70,000*l.* by contracting for a supply of beads, tomahawks, and scalping knives for the Indians ; there was Mr. Atkinson who had taken a rum contract at

exactly double the price which it cost him. In connection with these contracts new places had been invented: for example there was now a Taster of Rum with a salary; and 40,000*l.* had been paid to a superintendent at Cork, for doing nothing except the duty belonging to the merchant contractor himself. These facts were notorious; although Lord North had succeeded in so composing the Committee of the House of Commons which examined into them, that their enquiries had led to nothing. To remedy these enormous evils he wished to have a Commission of Accounts instituted, similar to those which had existed from the Revolution to the year 1715. Parliament would then know that the money which it had voted and appropriated had really been spent in the manner intended, and when extraordinary votes were asked for, they would be able to see whether the sums expended had or had not been distributed in wastefulness and corruption.\*

The motion of Shelburne was supported by the whole Opposition, amongst others by Lord Caermarthen, who spoke amid much applause on the indignity to which he had been subjected by his recent dismissal.† On a division the Opposition vote was the largest they had registered for some

\* "Parliamentary History," xx. 1318.

† "Parliamentary History," xx. 1339.

time past, for they numbered fifty-five. The motion was however rejected.

The same day Sir George Savile presented the Yorkshire Petition. On the 13th, Burke introduced his plan of Economic Reform in a speech which to borrow the words of Dunning must remain "as a monument to be handed down to posterity of uncommon zeal, unrivalled industry, and invincible perseverance." \* On the 14th Sir George Savile brought in a Bill to take away several sinecure places and pensions which Burke had proposed to spare, and Barré, following the example of Shelburne, gave notice that he would move for a Commission of Accounts to facilitate the method of accounting for the expenditure of public money. On the 21st Sir George Savile moved for an account of pensions granted during pleasure or otherwise. The debate was very warm. North was defended by the Lord Advocate Dundas, and by Wedderburne, both of whom were Scotchmen. Colonel Barré thereupon said that no Englishman could be found to defend the Government. Dundas retorted by asking him "if it was not as honourable to be the King's pensioner as Lord Shelburne's, which Barré notoriously was." Greatly excited, Barré exclaimed "It is false! It is false!" The House was instantly thrown into

\* "Parliamentary History," xxi. 142.

a ferment, and the Speaker had to interfere to prevent any ill consequences. Finally Barré declared that in what he had said he had meant nothing personal and the matter terminated.\* On the 24th Sir Philip Clerk's Bill for excluding contractors from Parliament was accepted by an unwilling Government; on the 2nd of March, the second reading of Burke's Establishment Bill was carried unanimously, and Lord North announced that he adopted the plan of a Commission of Accounts. A turn however soon took place in the tide.

On the 8th Shelburne moved a resolution relative to the removal of Lord Caermarthen and Lord Pembroke from their respective Lord Lieutenancies. It was rejected by a majority of 56 to 31. The same day the clause in Burke's Bill abolishing the third Secretaryship of State was thrown out by 208 to 201. North had set himself to destroy in Committee what for appearance sake he had been forced to accept on the second reading. The clause relative to the Board of Trade only escaped an untimely fate by eight votes. Finally on the 20th the clause abolishing the Treasurer of the Chamber was thrown out by 211 to 158. This was looked upon as a test division,

\* "Parliamentary History," xxi. 103. See on the above subjects generally, the "Parliamentary History," xxi. 1-154. Walpole, "Journals" ii. 353-373.

and Burke having lost the point declared his indifference of what became of the rest of the Bill.\*

The indignation of the Associations now knew no bounds. The Westminster Committee had issued notices for deputations from each Association to meet at the St. Alban's Tavern. Seeing their moderate demands for Economic Reform stifled by clever Parliamentary tactics, they began loudly to demand a Reform of the Representation of the people, and a shortening of the duration of Parliaments. The Yorkshire Committee as usual gave the lead. On both these points the followers of Rockingham were opposed to the Associations, while both Shelburne and Fox were in favour of their demands. "I am by no means satisfied," Rockingham wrote to Shelburne, "that the proceedings at York are likely to produce good effects. *Discretion and correctness have not predominated.* I cannot enter into the whole of this subject in a letter. I must defer till we meet, but I think it incumbent upon me to throw at least a shadow of caution, lest your Lordship should lay more stress upon some circumstances than the *whole facts* might bear. I return your Lordship many thanks, for the communication of what had passed in Wiltshire. Your Lordship may say, that I am not *easily* satisfied; for I confess, I rather think—that Wiltshire is *too cold*, and that I should at the

\* "Parliamentary History," xxi. 193, 233, 296.

same time, express an opinion, that Yorkshire has been *too precipitate*. I think a medium between both would have been more likely to have produced general concurrence.”\*

“I am very sorry,” Shelburne wrote in a contrary strain to Lord Mahon, “that the Buckinghamshire Committee has been appointed to meet in London, as they cannot be assisted by the country members without manifest inconvenience. I cannot, with any propriety, ask the gentlemen in this part to go out of the county. As to the business which it meets upon, I can only repeat to your Lordship, that I cannot discover in the plan of the Yorkshire Association a single exceptional principle. General union is acknowledged to be essential to our success. To this end, there must be a reasonable lead somewhere. Where can it remain so safely or so honourably as with the Meeting of the County of York, which took its rise from a sense of oppression, who have uniformly proceeded hitherto with a view to measures and not to men, and regarding whom there does not exist the smallest well-founded suspicion of the interference of party? Next as to the points which are made the objects of association. It is acknowledged, that the approaching Election has a very great influence on the divisions now taking place in the House of Commons in favour of Reform and redress of

\* Rockingham to Shelburne, April 2nd, 1780.

grievances. The county members have very generally voted on the public side; except a few who are likely to lose their seats by not doing so. What, then, is so natural or so reasonable, as to follow where these principles lead, and desire that Parliaments shall be shortened, and an effectual addition or substitution of county members made to the present House of Commons? My principle does not go to influence the political opinion of any man. But I think it a duty to declare my own, and your Lordship will do me a great deal of honour by communicating these as my sentiments to the Committee either individually or collectively, if those of absent persons shall be alluded to.” \*

The zeal of Shelburne on behalf of reform was not without danger. During the debate on the 8th of March, he had alluded to the recent introduction into the Army of what was known as “occasional rank,” by which, in Militia regiments, persons of no military experience were given the superiority in command to regular soldiers. As an illustration he cited the case of Mr. Fullerton, formerly Secretary to Lord Stormont at Paris, but now a Lieutenant-Colonel, and he was understood to apply the word *commis* in a sarcastic fashion to the newly created officer.† On the 20th Mr. Fullerton, who was in

\* Shelburne to Mahon, April 7th, 1780.

† “Parliamentary History,” xxi. 218.

Parliament, made a warm and abusive attack from his place in the House of Commons on Shelburne. He said that he had been Secretary to the Embassy in Paris, and that Lord Shelburne having been Secretary of State, must have known the falsehood of his own assertions when he described him as a *commis*. Here Fox rose, and asked that Fullerton should be called to order for naming persons, and for referring to debates in the other House. He concluded by expressing his regard for Shelburne, whom Barré also defended, hinting to Fullerton, that he had better seek satisfaction elsewhere. Fullerton again rising, denounced Lord Shelburne's "aristocratic insolence;" but was again called to order. The same evening he wrote a report of his speech, adding what he had intended to have said, had he not been called to order, and sent it to the *Public Advertiser* in which it appeared next morning. Lord Shelburne's conduct was described as "false, insolent, and cowardly," and he was accused of being in correspondence with the enemies of his country. The allusion was to Franklin; nor was this the only occasion on which the accusation was brought up, for in the following month Lord Stormont thought fit to make himself the mouthpiece of it in the Upper House, but not with impunity, for he was practically forced to retract it.\* Fullerton sent

\* See Walpole, "Journals," ii. 399. "Parliamentary History,"  
xxi. 459.

his effusion to Shelburne, who on receiving it, and being told by the servant who brought it, that an answer was expected, replied that no other answer was proper, than to desire Mr. Fullerton to meet him next morning in Hyde Park at five o'clock. They met there accordingly; Mr. Fullerton's second being Lord Balcarras; and Lord Shelburne's Lord Frederick Cavendish, with whom he had served at St. Malo and St. Cas. Two shots were fired without effect. Fullerton's second shot wounded Lord Shelburne slightly in the groin. Lord Frederick then asked Lord Balcarras if his principal was satisfied. Lord Balcarras replied "If his Lordship would say he had meant no affront." \* Lord Shelburne said it was too late, and that he was ready to continue, but the seconds decided that the affair should end there. †

The following day the subject was taken up in the House of Commons, when Sir James Lowther talked of making a motion against duels as hindering the freedom of debate. "If," said he, "questions of a

\* There was no reason in any case why Mr. Fullerton should have been offended at the use of the word *commis*. Flassan in his "Diplomatic History," describes Rayneval as "un des premiers *commis* des Affaires Étrangères." Walpole says "that Lord Shelburne had never applied the words clerk and *commis* to Colonel Fullerton, but had only said that he would *not* use the term *commis*, with which he had offended Mr. Eden on a previous occasion."

† As to the above duel, see Walpole, "Journals," ii. 385-389. "Parliamentary History," xxi. 293-319.

public nature which came before either House were to be decided by the sword, Parliament would resemble a Polish Diet." Then Mr. Adam who had recently had a duel with Fox on account of language spoken in the House of Commons, rose to defend his own conduct. Mr. Fergusson next vindicated the conduct of Mr. Fullerton, and Burke the language of Lord Shelburne; as did Fox, who announced his intention of renewing the attack on Mr. Fullerton, when the new levies came before the House, and on the same grounds as Lord Shelburne. The debate concluded by Rigby expressing a pious hope that all parties had obtained a lesson in moderation, and the subject then dropped. Meanwhile the news of the duel had been noised abroad. It was insinuated by many persons that Fullerton was only the instrument of the Government, and it was noticed that he, like Adam who had fought Fox, was a Scotchman. The old animosity between the two nations at once blazed forth; numerous addresses were sent to Shelburne; several towns conferred their freedom on him, and the Common Council of London sent to inquire how he did.\*

The deputation of the County Committees next issued from the St. Alban's Tavern a Memorial signed by their Chairman, Mr. Wyvil, recommending the Associations to ask for shorter Parliaments, and

\* Walpole, "Journals," ii. 389. Lansdowne House MSS.

the addition of one hundred county members. On the 5th of April a great meeting was held at Westminster, when Fox spoke in favour of these demands. A riot was expected and the Guards were ordered to be in readiness, but the precautions proved unnecessary. The following day the House of Commons considered the Petitions from the Associations. There were forty of various kinds. "They were piled on the table," says Walpole, "signed by thousands of names."\* It had been arranged that Dunning, without having given previous notice, should move "that the influence of the Crown has increased, is increasing, and ought to be diminished;" and he now rose to do so. "He stated his proposition," writes Barré to Shelburne, "in a most masterly and convincing manner; Lord Ossory seconded him. The Treasury Bench appeared stunned and confounded; every symptom promised their intending to have recourse to a division without a Debate, when the Speaker got up and gave a distinct, short and pointed support. The Lord Advocate made a foolish speech concluding with a motion to leave the chair; T. Pitt spoke incomparably well, home to Lord North, and confounded him; the disorder in the Ministry was so great, that we were all desirous to finish there, and in fact we nearly did so, for neither Fox, Burke, Lord John, Sir G. Savile, &c., nor I, said one

\* Walpole, "Journals," ii. 391.

word; except the first, who spoke only for a minute or two. Lord North lost all temper, tried at first to be insolent, and attacked the minority in language which he was called to order for, in such a manner as cured him of that sort of inclination. Nugent spoke early, and more ridiculously than ever. Wedderburne spoke in so weak, confused and flimsy a manner that he was not in the least attended to. Dunning was up three or four times and in full possession of himself, the House, and in the end of Victory. We divided 233 to 215. I should have told you that the Advocate was ashamed of his motion, and with leave withdrew it. Afterwards in the course of the debate they cooked up a most ridiculous amendment, which he moved, which was only to add these words ‘*That it is necessary to declare that the influence, &c.*’ This we accepted of, and then divided on the main Question. Rigby after the division, in truly Royal manner, put a good face on and tried to be very merry and a little profligate. Dunning then moved his second question, which was in substance that the House had a right to examine into the expenditure of the Civil List as well as all other public money. This we carried with a division. There was just flying debate enough to give time to cook up another motion, in substance thus: ‘That it is the duty of this House to redress all the abuses stated in the different Petitions presented from the

several counties and cities in England.' This likewise with only languid and light objections, passed without a division. To complete the night we reported to the House immediately, and the three resolutions were adopted likewise without a division."

The brilliant success which had rewarded Dunning's efforts was followed by a reaction similar to that which had rendered nugatory the great speech of Burke on the 11th of February. The Court had a real majority in the House, and it was only the fear of the approaching general Election which had induced so many members to desert Lord North. Dunning saw his followers diminish on each successive division, and when on the 10th, he moved to exclude twelve officers of the Household from sitting in the House, he only had a majority of two votes.† Two days after the Bill for disqualifying Revenue Officers from voting at elections was thrown out by 226 to 195.‡ This was immediately followed by the House of Lords throwing out the Contractors Bill by 57 to 41,§ and when on the 24th, Dunning moved an Address to the Crown that no dissolution nor prorogation of Parliament should take place, till

\* Barré to Shelburne, 7th April, 1780.

† "Parliamentary History," xxi. 374.

‡ "Parliamentary History," xxi. 403.

§ "Parliamentary History," xxi. 414.

proper measures had been taken to diminish the influence of the Crown, he was defeated by 51 votes.\* Two days after, the House being again in Committee on the Petitions, a motion "that the Chairman do leave the Chair" was carried against Dunning by 43, and immediately after several fresh clauses of Burke's Bill were lost. On the 18th of May, Burke declared he would divide no more.†

Dunning had seen his great triumph of the 6th of April become merely historical; but the popular movement in the country continued to grow, and notwithstanding the unwillingness of Rockingham, the two great questions of the Reform of the Representation, and the Duration of Parliaments, continued to attract an increased share of attention. Shelburne and Fox continued to express their agreement with the Associations, and great dissensions on the question now arose between the former and Burke‡ On the 8th of May 91 votes were recorded in the House of Commons for Sawbridge's motion in favour of triennial Parliaments, and Richmond, whose opinions on these questions were more extreme than even those of Mr. Wyvil, gave notice that he would call the attention of the

\* "Parliamentary History," xxi. 494.

† "Parliamentary History," xxi. 535-628. Walpole, "Journals," ii. 398-401.

‡ Walpole, "Journals," ii. 401. Lansdowne House MSS.

House of Lords to the character and constitution of Parliament. It is at least probable that, considering the temper of the times, the union of the Opposition, and the discredit into which the home policy of the Government was fallen, some substantial result might have been obtained, if not in the existing, at least in the coming Parliament. Nor were these the only reasons. The declaration made on the 26th of February, 1780, by the Empress Catherine—commonly known as that of the Armed Neutrality—had shown that Russia, who it was expected would soon be followed by the Northern powers, was to be numbered among the concealed, if not the open enemies of England, while a rupture was expected with Holland, owing to the overbearing conduct of the English Administration. Thus not only the Home but the Foreign policy of the Government lay open to the attacks of the Opposition, when suddenly the “Lord George Gordon Riots,” which, with the interval of two days, raged from the 2nd to the 9th of June, came to teach the lesson, that popular violence is a worse enemy to Reform, than even a king such as George III., or a minister such as Lord North. “The ministry,” writes Richmond to Shelburne, “were much alarmed, and seemed near at a stand; but will now convert this business into the main object of all their government. I much lament these disturbances. The cause was

unjust, the proceedings extravagant, wicked, and weak; and will tend to discredit any attempts of the people to do themselves justice on any future occasion when the cause may warrant it." \*

The conduct of Shelburne during these riots, excited attacks against him similar to those of which he had been the object at the time of Dignam's plot. He was accused not only of having consented, but of having been an actual party to some of the excesses of the mob; and his having been one of the few Peers who, on the memorable evening of the 2nd of June, reached the House of Lords without molestation, gave a colourable pretext for slanders, to which Judges on the Bench did not scruple by their language to give an importance which they otherwise would have lacked.† The natural explanation of the favour with which Shelburne was regarded by the Protestant mob, lay in his being known to be the holder, notwithstanding his advocacy of religious toleration, of those anti-Papistical sentiments, which had influenced the statesmen of the Revolution; but were now beginning to lose their force, with the altered policy of the Roman Curia, since the Pontificate of Ganganelli.‡

\* Richmond to Shelburne, June 16th, 1780.

† See Wrazall, "Memoirs," i. 360.

‡ Walpole, "Journals," ii. 419. "Parliamentary History," xix. 1145.

“As to the suggestions,” writes Dunning, “that the late disturbances, have proceeded from or been in any degree countenanced by any man of rank or consequence in the country, and above all by any of those who have distinguished themselves as asserters of, or advocates for the rights and liberties of the people in opposition to the weak and ruinous measures of the present Administration, whatever countenance those suggestions may have received from judges or others who have condescended to be the scandalous instruments of Ministers in propagating them, they have been thrown out without proof or the semblance of proof, without probability, and it is no breach of charity to add, by men who have not themselves believed them or at least they would have been able to give them some colour; as the means of detecting and proving such practices, if they had existed, were in their hands, and they do not appear to have been very delicate in the choice of them.

“To induce a belief that men in their senses, would act a part so directly contrary to their interests, (whether by interests are understood those of the public upon which they professed to act, or those selfish and various interests which their adversaries, judging from themselves. impute to them,) should require better evidence than any which corruption, operating upon the worst men in the worst times, has yet been able to procure. Such however seems

to have been the credulity, or rather the infatuation of the times, that these suggestions without any evidence at all, and in contradiction to the strongest evidence arising from the nature of the case, have been so far adopted, as to throw some degree of discredit upon means and measures, certainly intended for the prevention of such evils in future, and for the restoration and preservation of the Constitution, and by which, if by any, that important object may be attained. So successful have been the instruments employed to this wicked purpose, as sufficiently to account for their having been so employed; and perhaps to warrant any suggestion, that those who so industriously impute those outrages to others, are themselves the authors or the abettors of them, and were tempted to be so, by the hope of imposing upon ignorant men an idea, that all associations must be of the same description, although distinguished by their members and by their objects, and having nothing in common but the name. With this view, it has been assumed that the members of what has been called the 'Protestant Associations,' were those who burned houses, opened jails &c. in this metropolis, and the argument is supposed to be complete, when it is added, that some of the most respectable men in the kingdom, who in Yorkshire and elsewhere have associated in common defence against common danger, are likewise Associators. But if

there were any colour, which it is believed there is not, to represent that enormities like those which have been practised, were among the objects of the Protestant Association, it is hoped there is no Englishman so ignorant or so uninformed, as to need to be reminded that there is some difference between associating to support the Constitution or to overturn it."

The conduct of Shelburne has also been impugned long subsequently to the riots themselves. It has been said, that under the impulse of factious motives, he opposed calling out the military, and thereby threw difficulties in the way of the Government at a moment of extreme public danger.† It is however to be observed that the speech in which he said "that he would on all occasions oppose such a proposition" was made on the 2nd of June,‡ and it was not till the 4th that the riots assumed those gigantic proportions, which made an appeal to the military force absolutely necessary. The 3rd of June was a day of absolute quiet; so was the 5th, when the Privy Council met, and considered the riots of such slight importance, that it was decided to do nothing beyond offer 500*l.* reward for the apprehension of the persons who had destroyed the chapels of the

\* Dunning, "Memoranda on the Riots," June, 1780. Lansdowne House MSS.

† Massey, "History of England," ii. 462.

‡ "Parliamentary History," xxi. 671.

Bavarian and Sardinian Ambassadors.\* The real lesson which the riots taught was the necessity of re-organising the police. This was insisted upon with great force by Shelburne in the House of Lords on the 3rd of June. "Let the Administration," he said, "recollect what the police of France was; let them examine its good, and not be blind to its evil. They would find its construction excellent, its use and direction abominable. Let them embrace the one and shun the other. The police of France was wise to the last degree in its institution, but being perverted in its use, its very merit became its mischief. Instead of applying it to the general benefit of the kingdom, the ministers of France had applied it to their own political purposes; they had perverted it into an *espionnage*, a word, which he thanked God, would not *yet* admit of an English interpretation. Let the appointment of magistrates in Westminster be elective; let the people have a power to vote for them and choose them by their suffrages; the election would then be pure, no jealousy of government could prevail, and the end of such a police would be most fully answered. Perhaps it might not be unworthy the attention of those in power, to consider for a moment the police of the City of London, a police abundantly better regulated and more effectual than that of

\* Stanhope, vii. 35.

Westminster. The city was divided into wards, and subdivided into parishes, each of which, both in the division and subdivision, had its separate police so constituted as to make a part of the whole police of the city. Might it not be worth the while of Government, to copy the example, and make Westminster a corporation as London was? The project was not difficult, and all the danger of altering the police lay entirely with Government. If they perverted the alteration to an extension of influence, they would do harm, and increase the mischiefs of the present system of police; if they avoided assuming fresh power, and left the people at liberty to elect for their magistrates, those whose character, ability, and independence served to point them out as proper in their eyes to fill the office of magistrates, they would act wisely, and would find by the effect, that they had done what was right, and that they had instituted a police, answering every good and desirable end, both public and private.”\*

The ultimate suppression of the riots was owing to the courage of the Attorney-General, Wedderburne, who was rewarded with the Barony of Loughborough and the Lord Chief Justiceship of the Common Pleas. While London was burning, the Privy Council was discussing whether the troops could fire till after the Riot Act had been read, and one hour had

\* “Parliamentary History,” xxi. 680-681.

elapsed. This was the theory embodied in a War Office Order on the subject; the question however was if it contained the law on the subject. The Attorney-General gave it as his opinion, that when a felony was being committed, and the Civil power lacked other means to repress it, the Military could interpose, without any formality whatever, not as soldiers, but as citizens. "No matter," said Mansfield, "whether their coats be red or brown, they are employed not to subvert but to preserve the laws and Constitution."\* This doctrine, though probably correct, is clearly one which requires very close watching; as Dunning pointed out in some observations which he addressed to Shelburne on the subject.†

The immediate effect of the riots was the rejection of Burke's Establishment Bill on the 23rd of June.‡ The King foresaw that he could now with perfect safety dissolve Parliament. The Opposition were dispirited, and to a great degree discredited by the successful calumnies of the Ministers' friends, while Burke most injudiciously chose this moment to publish a pamphlet, in which he abused the Non-conformists as having been greatly concerned in the recent riots.§ Rockingham himself was especially

\* "Parliamentary History," xxi. 694.

† Lansdowne House MSS.

‡ "Parliamentary History," xxi. 714.

§ Walpole, "Journals," ii. 418.

despondent: and the fact becoming known, the King in July again opened negotiations with him. His reply showed a practical desertion of everything for which the Opposition had been struggling during the past year. Even the independence of America was abandoned.\* Nor did he propose to give office to Camden, Shelburne, or Grafton, but only to his immediate friends, to Fox, and, in order to please the King, to North. "His terms," says Walpole, "discovered no general views, aimed at reforming no capital grievances, and still less specified complaints against anybody. They were not more honourable to his party, than beneficial to the nation. They were so timid, so insignificant, so unmanly, that they had the appearance of being managed only to facilitate Burke's throwing himself into all the measures of the Court, and did not even preserve the dignity of the man, courted to be an apostate. The Court treated the Marquis with the contempt which he had so justly incurred."†

The result of this abortive negotiation was again to divide the Opposition. Not only Shelburne but Grafton, Camden, and even Richmond, whom Rockingham had intended to form part of his new ar-

\* "Memorials of Fox," i. 251. "Propositions of the Opposition as understood by Mr. Montagu." Walpole, ii. 422.

† Walpole, "Journals," ii. 424.

rangement, expressed the utmost indignation. Shelburne himself retired into the country. On the 1st of September, Parliament was dissolved, and the new elections again gave the Court a majority. Among the new members were William Pitt and Sheridan.

During all these events the intimacy of Shelburne with Dr. Price continued undiminished, and more than once when speaking on financial questions he acknowledged the obligations he was under to him. Quite apart from the question of the soundness of his views, there can be no doubt that Price conferred a great service, by calling attention to the growth of the National Debt, and to the necessity of reducing it. To this opinion Shelburne it has been seen was an early convert.

The discovery that the scheme put forward by Price had the effect, so far as it proposed to support the Sinking Fund by loans in time of war, not merely of not diminishing, but of actually increasing the debt, has caused his merit as a financier to be as unduly depreciated by posterity, as it was unduly exalted by his contemporaries. Till the moment arrived when a loan had to be made, the Sinking Fund operated on perfectly sound principles; not indeed by the magical virtue of money growing at compound interest and paying off debt without burdening the tax payer, in defiance of the Lucretian

doctrine, that something cannot be produced out of nothing; but by the application to the reduction of debt of the excess of revenue above expenditure. Capital to increase at compound interest must be invested in some reproductive employment, and it is an abuse of terms to describe the reinvestment of the interest of stock as an investment of capital at compound interest. The modes of operation are the same, but the means when examined are seen to be totally different. It is not however quite clear that Dr. Price or Lord Shelburne or Mr. Pitt really thought that there was no burden on the tax payer, but rather that the burden was not perceived; just as in the modern arrangements connected with the Terminable Annuities, debt is paid off by an arrangement which in reality lays on the tax payer a burden just as heavy, though not so easily discovered, as the sum annually voted for the direct extinction of debt. There are however other objections to the plans of Dr. Price besides those just mentioned. A Sinking Fund is apt to be looked upon by ministers as furnishing resources which in a time of need they may squander at pleasure. A war is begun. The operation of the fund is at once stopped, and a few millions are taken from it to be spent on warlike preparations. Meanwhile no increase of taxation takes place, and no increase of the national burdens being felt, no attention is given to the additional

expenditure. It may also often happen that a greater benefit will accrue, from lightening the public burdens, than by keeping up taxation for the reduction of debt, and this objection was certainly full of force in the last century. It must however be borne in mind that Shelburne and Pitt were among the first to attack the financial system which oppressed the English tax payer with unnecessary burdens; while the previous objection assumes the existence of a weak Chancellor of the Exchequer, and a careless House of Commons.

Price, and following him Shelburne, had the merit also of being among the first to attack the practice begun by North, and since frequently followed, of funding by increase of capital; a practice originating in the neglect of the consideration, that the country when it borrows has to look forward not merely to paying a perpetual annuity, but eventually to repaying the principal of the debt. It may seem to be a matter of indifference, whether 100*l.* is borrowed in a five per cent. stock at par, or in three per cent. stocks at 60. When however the moment for repayment arrives, the stocks originally worth sixty in a time of national distress, will probably have risen to a far higher quotation, and the nation will have to repay at that quotation, losing the difference, and for this very reason, viz.: that a three per cent. stock at 60

afforded greater prospects to speculation than a five per cent. stock at par, it was easier to negotiate loans by increase of capital, than by increase of interest

It was not however to financial questions only, that Dr. Price devoted his attention. From the beginning of the troubles with America to their end he remained the zealous friend of the Colonists. In 1775 he published his "Observations on Civil Liberty, and the Justice and Policy of the War with America," in which he insisted that a free Government was one of the natural rights of civilised man. The press was unable to supply the demands for it. Application was made to him by the supporters of the American cause, for leave to publish a cheap edition, and sixty thousand copies were thus immediately sold. In consequence of this publication the freedom of the City of London was presented to him by the Aldermen and Common Council, "as a testimony of their approbation of his principles, and of the high sense which they entertained of the excellence of his observations on the justice and policy of the war with America." On the other hand he became the victim of the attacks of every pamphleteer in the employment of the Government, and not of them only, but also of Dr. Markham the Archbishop of York, of Wesley,

See Hamilton on the National Debt, ch. vi.

and of Burke, who all found a common ground in attacking the doctrine that mankind had or could have natural rights, and joined the Shebbeares, the Macphersons, and the Linds, in the anathemas which they poured on the author. The second edition of this work expressly recommended for adoption the views lately put forward in the House of Lords by Lord Shelburne. Shortly after when the question of the profits and Parliamentary position of contractors was attracting public attention, Price in conjunction with Horne Tooke prepared a pamphlet under the title of "Facts addressed to the subjects of Great Britain and Ireland." Shelburne however for some unexplained reason objected to the publication. Dr. Price was willing to give way, but Horne Tooke refused, and published the pamphlet. This produced a rupture between him and Shelburne, which admitted of no reconciliation.\*

After the Lord George Gordon Riots the King believed himself to be master of the situation. Not only was the Opposition once more at variance, but during the last campaign a substantial amount of success both on sea and land had rewarded the efforts of the English commanders. General Arnold deserted the American cause, and

\* Memoir of Price by Morgann. Walpole, "Journals," ii. 1775-1776.

it was reported that dissensions between the Colonists and their French allies were on the increase. The Armed Neutrality had as yet produced but little effect; France was undoubtedly growing weary of the war, and in the month of December Necker made a secret overture for peace, on the basis of a truce during which the two armies in America were each to retain the territories it then occupied. In a moment of infatuation this moderate proposal was rejected. Shortly after Necker was driven from the French Ministry, and the Court of Versailles determined on a vigorous prosecution of the war. The Court of St. James' on the other hand "was insolent and seemed determined to stick at nothing."† A whole gang of paid scribblers was let loose against the Opposition. Mr. Turnbull, son of the American Governor of Connecticut, was arrested as a spy, and the letters found upon him were asserted to have proved that Richmond and Shelburne were traitors. More duels were openly recommended, and language of the utmost violence both in and out of Parliament was used to provoke them.‡

Never had union been more necessary among the chiefs of the Opposition. This was especially felt by Richmond, who early in December took

\* Barié to Shelburne, Dec. 7th, 1780.

† Walpole, "Journals," ii. 436.

‡ Walpole, "Journals," ii. 433-436.

the opportunity of expressing his opinion to Barré, whom he had met in the House of Lords. "He began," the latter wrote to Shelburne, "with lamenting your absence, and wishing most earnestly that you would come to town; he pressed me to write to you upon the subject. He doubted whether we could do much or even any good, if we were united, but being divided all was lost. He appeared not only in earnest, but much agitated, and as far as I could judge he apprehended that you was quite off, and determined not to come up at all. He said that he himself had come with reluctance to town, and that he had but one reason for shewing himself in the House when the Address was moved, which was, lest people who knew the breach between your Lordship and the Rockinghams, and likewise the very general conformity of opinions between you and him, might interpret his absence as giving up or a quarrel between him and his old friends. He said that he had often differed with you, but that for these two years past he was most completely and entirely of your opinion, and added that your conduct with respect to him and his friends during that time had been distinct, fair and most honourable; that this had been uniformly and was still his language to them. He was exceedingly mortified by every thing that had interrupted or broke the union which had subsisted between us, and wished

me to be (as I knew your sentiments and had great and just weight with you) an instrument of peace and re-union. 'You know,' says he, 'the force of connection and friendship, as well as any man; I have done my best; I am sorry when I hear of anything offending. I was much hurt with L<sup>d</sup> Fitzwilliam's opposing with so much warmth that proposition of the 100 Knights in the Westminster committee yesterday; Lord Mahon told me of it, but *he* gets warm and sometimes says unpleasant things to us such as—"If we don't come into this or that measure, the public will doubt our sincerity." 'I have,' says he, 'worked night and day with Lord Rockingham; I have told him repeatedly the mischievous consequences of his not adopting this measure; that it must come forward; and that the loss of it (if it should be lost) will be laid at his door; and he will besides have the mortification of seeing most of his best friends quitting him upon the division. All that he says in answer, is that he is sure the measure is not popular without doors, to which, the Duke replies, 'You and we can soon make it so. However,' adds the Duke to me, 'for God's sake get Lord Shelburne to come to town, and then we can talk it over, the sooner the better.'

"To all this I answered, after some sentences of respect to him, that you had by no means abandoned

the public; that the times promised many events of such a nature as would probably force you from retirement, to do justice to your own honor, by striving to serve even an inanimate public. That as to the ordinary trammels of Opposition, after what had happened, I thought you would not and even could not submit to them. That L<sup>d</sup> Rockingham's indecision, to give it no harder name, was not to be cured by crabbed conversations or messages in town; that he, the Duke, knew the little effect of that medicine; that L<sup>d</sup> Rockingham was now where we last left him; that his and some of his friends' indecision had been always stated by *me* as more fatal than a manly negative; that your taking an active part in such circumstances was and would be only a foil in the eyes of the public to a bad government, and would shew us all together as totally contemptible; that it was better for us all to leave Administration undisturbed, than thus to shew our own impotence and distraction in both Houses of Parliament; that, thinking as I did, I could only promise his Grace to give your Lordship as true an account of his sentiments as I could, but that it was impossible for me to recommend to Lord Shelburne what I would not do myself were I in his situation.

“In reply to all this, he repeated frequently his request, adding that he was afraid that there were some prejudices and dislikes remaining since last

Session, which, says he, have not been much diminished, I suppose, by that negotiation in the summer ; but says he, Burke is not now in Parliament, though I suppose indeed he is to come in. This brought on a little discussion of Burke, in which we pretty much agreed, and which I closed with these words,—‘My Lord, I love Burke, I admire him, even in his wanderings; but when those wanderings come to be adopted seriously and obstinately by men of far higher description than himself, they then become alarming indeed.’ ‘That strange negotiation,’ says the Duke, ‘I assure you I had nothing to do with. I first heard of it after the first answer which was *that the King would take time to consider of it*; which convinced me that it would come to nothing. A week afterwards I heard of the final answer. I asked if Lord Shelburne had been consulted, or communicated with, and hearing he had not, I expressed my surprise and said that he ought to have been and was highly entitled to it. I never consented to or approved of that business. I could not I thought with decency sit at the same council table with Lord North, whom I had been for years accusing and charging as a criminal, yet even that I might be brought to, upon the condition of L<sup>d</sup> North sitting there for the purpose of assisting to undo all that he had been doing for years back. I will tell you fairly, says he, I never as long as I breathe will make

a part of any Administration that will not do something to mend the Constitution.' He then went back to the prejudices and dislikes, and mentioned an instance of L<sup>d</sup> R. taking offence at some want of attention in you, but desired I would not mention it to you. Indeed it is not worth repeating.

"In answer to all this, I said that I had heard of that negotiation, but that in the present situation of public affairs, if we meant to do good by acting together, it would be better to have no retrospect whatsoever; that I knew the shape of your mind and your wishes for the public, placed you far above little prejudices, or personal hatreds; but that after what had passed there was no way of drawing the eye from retrospect but one, and that was to hold out a fair, distinct, and flattering prospect, no clouds, no doubts, no knotty points. I added, my Lord, 'that time is not yet come, even by your Grace's confession, and therefore I can only write to L<sup>d</sup> Shelburne, state our conversation to him, and still adhere to my opinion against his coming to town. You are the best "middle man" in the world to settle this business; your Grace is correct; you will best see what can be done with L<sup>d</sup> Rockingham, and when you see daylight such as I have been speaking of, L<sup>d</sup> Shelburne, I am confident, will listen to you sooner than anybody.'

“Somewhat more might have passed, but I don’t think anything material has been omitted. I told him L<sup>d</sup> Mahon was zealous, warm, and not much practised in dealing with men; and therefore any expression of the sort alluded to, ought not to be taken too seriously. The Duke said, ‘L<sup>d</sup> Mahon tells me that if L<sup>d</sup> Rockingham comes into the proposition of the hundred Knights, L<sup>d</sup> Shelburne will immediately come to town.’ I answered, ‘L<sup>d</sup> Mahon may answer for his coming upon such an occasion, but I will not venture to do so’ He seemed very well pleased with our conversation, for I believe he suspected that there was some negotiation going on, and was happy to find that there was no room for his suspicion.

“I met L<sup>d</sup> F. Cavendish in the Park, and we had a conversation of the same nature though a very short one, I told him of what passed between the D. of R. and me, he expressed much satisfaction, and finished with these words, ‘L<sup>d</sup> Shelburne must with very little attention and management be at the head of us, our body has property &c., but we have not those powers that enable men to take the lead in public assemblies. You see what has been the case of C. Fox. We must naturally give way to such men.’

“In my last letter I told you Dunning agreed in opinion with you and me; I have not been

able to see him since these conversations, he is in good health and spirits. Our business does not I believe come on till Wednesday as L<sup>d</sup> N. has been very ill, but has got much better. Fox called at my house yesterday after I had set out for this place.”\*

To this communication, which was followed by several others bearing on the same subject, Shelburne replied :

“Be so good to tell the Duke of Richmond that I am extremely sensible to every mark of his attention. He cannot be surprised at my not attending Parliament ; on the contrary he must have a strange opinion of my unsteadiness and irresolution, if I did ; as he was present when I repeatedly stated the alternative to Lord Rockingham. It is plain Lord Rockingham perfectly understood it, by the decided steps which he risked during the summer. As to the public proposition, Lord Rockingham has certainly checked its popularity (as I have had very disagreeable experience of in this very county, through the medium of his connections), and may have made it on the whole unpopular. My letter to Lord Mahon as I told you was conceived in general terms. For as to any future plan, if any were to be adopted, it requires a great deal of consideration both as to matter and mode, and many people to be

\* Barré to Shelburne, December, 1780.

silence and inaction. As to voting, it is another matter, and I have nothing to offer one way or other. Charles Fox is scarcely entitled to ceremony.

“ I am here \* for the first time leading the life I ought to do for the sake of my health, fortune, and character, and happier than ever, and certainly will follow your advice, till I have most explicit reasons for re-embarking.

“ You are such a bad visitor, that I know you to be capable of forgetting to call on the Duke of Grafton, and I know his temper enough, to be sure he will imagine some reason for it, if you do forget.

“ I would be vastly glad to see Dunning take up the matter of elections. I wish to God, it occurred to him, to sow seed as long as we cannot reap fruit. I have a strong prepossession, that regulations might be fallen upon, relative to the expense of county elections, the poll, &c, and the Shoreham Act reduced to a principle, which might in time and gradually correct the administration. But I mention this loosely and only to you, not to Dunning, for to propose anything of a measure, would be vain and ridiculous in our present state.

“ Is it not almost incredible that the head of the Whigs, as he styles himself, should not be moved by resentment, rivalry, the call of his country, the conduct of his friends, particularly Sir George Savile,

\* Bowood.

to be a whit more decisive than when he set out, and still there he stands obstinately stopping the free course of popular spirit, which alone can ever oppose the Court.”\* Amid recriminations such as these, did the eventful year 1780 draw to a close.

\* Shelburne to Barré, December 1780.

## CHAPTER III.

LORD SHELBURNE AND THE KING.

1780-1782.

SHELBURNE, under the influence of the feelings described in the previous chapter, now seldom appeared in Parliament, but remained at Bowood. "You must be so good," he wrote to Barré, "as to make up a Christmas party for us; for otherwise I assure you we live so excëssively happy in this obscurity, that we shall lose all habit of company. Apprise Lord Dartrey that he must not think of going away before his time, and tell him (but take care that Lady Dartrey is not on the same floor) that we will play all Christmas-day and the money go to the poor."† "I hear very little politics," he told Lady Ossory, "and nothing which inclines me to give up the farmer," and he describes himself as spending five or six hours of the day in tracing roads or rides, and two or three more in reasoning with his tenants about allotting ground.\*

\* Shelburne to Barré, Dec. 1780.

† Shelburne to Lady Ossory, Jan. 1781.

The only speech he made during the whole session was on the 25th of January, 1781, when the King sent a message, announcing that a rupture with Holland had taken place. The circumstances which led to the ancient friend and ally of England being at this moment added to the number of her already too numerous enemies, constitute one of the most disgraceful chapters of the history of this country.\* The quarrel originated out of the vexed question of the Rights of Neutrals. It was the contention of England that the flag of a neutral nation does not protect the goods of a belligerent on board a neutral ship, and that regard should be had to the property of the goods, not of the vessel. The claim, which was based on the old rule of the *Consolato del Mare*, had invariably been upheld by those States which from time to time had had a marked superiority at sea, such as Spain, England, and Denmark. The other continental states, being comparatively weak at sea, had long been attempting to substitute for the old rule the principle that free ships make free goods, except in the case of contraband of war; though more than one instance could be quoted of States which when at war amongst themselves had been

\* The diplomatic history of the Armed Neutrality has been recently written in great detail, and after consulting the original authorities at Berlin, St. Petersburg, and Amsterdam, by Mr. Bancroft. "History of the United States," x. ch. xii. xx.

tempted by a comparative superiority at sea, to abandon the principle for which they had themselves contended against the great naval powers. The continental states were also at variance with England, as to the articles which should be included in the list of contraband; and they also protested against the doctrine that a blockade which was not systematic and continuous, could be held rightfully to entail the condemnation of a ship which had approached the coast of a belligerent.

But besides the customs of earlier times, there were other reasons which had largely contributed to the maintenance of the rule of the *Consolato del Mare*. It had been the policy of Europe for the mother country to monopolise the trade of her colonies; and, as a general rule, no other nation had been permitted in time of peace either to carry their produce, or to furnish them with supplies. If therefore a belligerent had been successful in destroying the colonial trade of the enemy, but the latter could continue to trade with security under a neutral flag, it was clear that the advantage of superiority at sea was immensely diminished. Hence had grown up what was known as the Rule of 1756, which substantially amounted to this: that a neutral had no right to deliver a belligerent from the pressure of his enemy's hos-

tilities, by trading with his colonies in time of war in a way prohibited in time of peace; and England considered herself justified in condemning under this rule, not only the cargoes of belligerents found on neutral vessels engaged in such trade, but the neutral vessels also, and any neutral goods they might have on board.

The result of the conflicting views of the nations of Europe on the question of maritime rights, were reflected in their public acts. While on the one hand there were countries like England, which held to the old principles of the *Consolato del Mare*, and on the other, those who had adopted the principle of "Free ships, free goods," there was yet a third class which had adopted the converse of the latter proposition as well, viz.: "Enemies' ships enemies' goods;" and this principle of having exclusive regard to the property of the vessel, and not of the goods on board, had been adopted in most of the treaties made since 1650.\*

It has already been seen that the claims put forward by England had led to the proclamation of the Armed Neutrality by Russia, which since that date had been joined by the other Northern powers, by Prussia, and the Empire. Of all the States however most interested in the introduction of a

\* Marten's "Law of Nations," b. viii. c. vi. sec. 16.

change in maritime law, Holland stood the first. Her position in regard to England was peculiar. When the latter claimed and exercised the right of searching the vessels of Russia or of Sweden, she had immemorial practice on her side, unrestrained by any special treaty or convention, and it is open to doubt if the difference with the Northern powers, which led to the Armed Neutrality might not have been avoided, had it not been for the extension of the definition of contraband of war by the English commanders and prize courts, to articles which the law of nations had not hitherto been supposed to condemn; and at the same time happened to be the staple produce of the Baltic powers. With Holland the case was different. As a belligerent power at sea she had steadily declined, ever since the great wars of the seventeenth century, but her carrying trade had as steadily increased, although those wars had been the undoubted result of the selfish desire of England to destroy her trade. No power had in consequence laboured more assiduously for the principle that free ships make free goods. Ultimately, in 1674 a treaty with England had established the new principle; on the other hand according to the Treaties of 1678 and 1716, Holland was bound by positive stipulations to assist England in the event of her being attacked in Europe. England therefore could not claim to

exercise the same rights against Dutch ships as she might against those of Russia and Sweden.

From the commencement of the war however, the respect paid by the English cruisers, to the Treaty of 1674, was of the most equivocal character, and timber on board Dutch vessels was treated as contraband of war. In July 1779 the English Government demanded of the States-General the succour stipulated by the Treaties of 1678 and 1716, and soon after claimed that the American privateers in Dutch ports should be treated as pirates and their prizes restored.

The States-General were in a position of great difficulty. The United Provinces at this time enjoyed the most cumbrous form of Government which probably has ever existed. It was difficult to say where the powers of the States-General ended, and those of the Seven Provinces began. In the States-General the voting was by provinces, but the representatives of any province could claim the right of consulting their constituents. It was not clear in what cases either a majority or absolute unanimity was necessary; the Presidency was a weekly office, occupied in rotation by representatives of the provinces; the power of the Stadtholder was chiefly executive, and was in reality not equal to that of the Grand Pensionary of Holland who was practically the foreign minister of the Republic

The Stadtholder was attached to England, and the Grand Pensionary to France. Such was the position of affairs when the repeated aggressions of the English cruisers opened the eyes of the Dutch statesmen to the fact, that notwithstanding their rejection in 1778 of the offer by the American Commissioners Franklin, Lee, and Adams, of a Treaty of Amity and Commerce,\* they stood in serious danger of becoming involved in the war.

In their demand for succour the English Government had expressed an opinion that the stipulations of a treaty like that of 1674, founded on the interests of trade only must give way to those founded on the general interests of the two nations, in other words to the Treaty of 1716. The States-General however denied that the origin of the war in which England was engaged came within the terms of the latter treaty, and contrasted the conduct of England, in claiming the benefit of one treaty, while rejecting the obligations of the other. A long exchange of memorials and counter-memorials followed, but meanwhile the English cruisers continued to prey on Dutch commerce. Finally in December 1779 a Dutch fleet of merchant vessels laden with articles not generally regarded as contraband of war, was attacked while sailing

\* Suffolk to Yorke, 17th July, 1778.

under convoy in the Channel, by the English fleet, and five ships of war and five merchant vessels captured. In April 1780 an order in Council suspended all treaties between the two countries, and Dutch ships were seized as blockade runners, and condemned on the preposterous theory that the geographical position of England constituted an effective blockade of the whole Spanish and French coasts. Almost simultaneously Russia proclaimed the Armed Neutrality, and invited the other powers of Europe to accede to the proposals contained in it. The temptation to Holland was sore. She had been subject to the grossest provocation, she had seen her most cherished rights openly violated, and she had a manifest interest in the destruction of the English colonial system, to support which the Navigation Acts had been passed against her own trade. Nor could anything be more overbearing than the language of the English diplomatists. "The best way," Stormont wrote to Yorke, "to bring the Dutch to their senses is to wound them in their most feeling part, their carrying trade. The success of our cruisers has hitherto fallen much short of our expectation."\* A rupture however was still delayed; the party of the Stadtholder succeeded in making the accession of the States-General to the Armed Neutrality, contingent on the

\* Stormont to Yorke, 30th May, 1780.

guarantee by Russia of the Dutch possessions in the East and the West Indies, and the negotiation consequently hung fire. An accident came at this moment to precipitate a crisis. In the month of October Mr. Laurens, whom the Congress had appointed to be one of their Commissioners in Europe, was captured on his passage from America to the Netherlands. Among his papers was found the draft of a treaty, which in the previous year had been drawn up under the sanction of Van Berckel, Pensionary of Amsterdam, and Jan de Neufville, an Amsterdam merchant, by William Lee, American Commissioner to Vienna and Berlin, and by him communicated to the American Commissioners at Paris. Van Berckel and Neufville had only obtained the informal consent of the burgomasters of Amsterdam to their negotiation with William Lee. The States-General had never been consulted, and the treaty was nothing more than a project, which Van Berckel and his friends intended to lay before the States-General, in the not improbable event of America becoming independent. The American Commissioners had looked upon Lee as an intermeddler, and, probably at their recommendation, Congress had soon after dismissed him from their service. The discovery of the treaty was held in England to reveal a deep-set purpose on the part of Holland. It was however difficult to make Van

Berckel's Treaty a *casus belli*, for on the 3rd of November the States of Holland met and condemned the conduct of Amsterdam. It was therefore resolved to insist upon the punishment of Van Berckel and his accomplices, in the event of the States-General acceding to the Russian offers. On the 23rd the States of Holland formally disavowed Van Berckel and their example was followed by the States-General. Stormont however insisted on the punishment of the Amsterdam offenders, and on the 16th hearing that the States-General had decided to accede to the Armed Neutrality he ordered Sir Joseph Yorke, the English Minister, to quit Holland without taking leave and without waiting for an answer, and himself sent secret orders to seize the Dutch settlements in the West Indies, and at once to sweep the sea of the Dutch ships wherever found. These orders were given several days before Yorke had quitted the Hague.\* Such is the discreditable history of the rupture between England and Holland. The Administration deeming itself secure at home and calculating on success abroad, only looked on the plunder of St. Eustatia and the other Dutch settlements as an additional means of increasing their own popularity, and that of the American war.

The whole history of these transactions, "the bullying and oppressive conduct pursued by Eng-

\* Stormont to Yorke, 5th Dec., 16th Dec. 1780.

land" towards the Dutch, the contrast it afforded to the offer which shortly before had been made to yield to Russia \* on the question of Free Ships Free Goods, the peculiar institutions of the Dutch, which taken in connection with the ancient alliance between the two countries was a reason for treating the States-General with great consideration, and the successive diplomatic steps taken during the negotiation, had been already brought before the House of Lords by Shelburne in a speech on the 1st of June, 1780.† He now returned to the subject,‡ and, while declaring himself, as did Lord Camden, in favour of the old principles of the law of nations if not unduly extended, commented with special severity on the seizure of the Dutch ships, in what was practically a time of peace, and before the English Minister had left the Hague. He reminded the House of the indignation which had been excited throughout Europe against England by the seizure in 1756 of the French ships, before a formal declaration of war; although in that case hostilities had already begun in America. "But now," he said, "in a time of the most profound peace between the two states, allied by treaty, friendship, and common interest, without any hostile appearance or preparation on the part of Holland; in the midst of the most perfect security and confidence, as

\* "Malmesbury Correspondence," i. 263.

† "Parliamentary History," xxi. 629.

‡ "Parliamentary History," xxi. 1294.

well upon the faith of subsisting treaties, as under the universal and established customs current among, and acknowledged by, every civilized nation on the face of the earth; upon an uncertainty at the best, and so far as appears upon the most shameful pretext imaginable; what has been the decision of the British Cabinet? To seize all Dutch ships, whether of private or public property; whether under commercial protection or driven in by stress of weather. And what next?—it may be supposed to compel justice withheld; to procure satisfaction for some insult; to indemnify our own subjects; and to retain the property thus seized and withheld, till the object, whatever it might be, should be attained. —By no means:—but to the disgrace of the country to the total dishonour of its councils, and in direct violation of all laws, whether of nations, of nature, of public honour, or private faith, the ships and cargoes are seized, not to be retained, but confiscated, for the joint advantage of the captors and the state; and what is worse than all, a commandment is given to render the municipal tribunals the instrument of legalizing an act, which is equally repugnant to every law now existing in the written codes, current, or of authority, throughout Europe.”\*

Before concluding his speech Shelburne adverted

\* As to the general practice in Europe at this time, see Marten's "Law of Nations," b. viii. ch. ii. s. v

to the state of affairs in America, which he described as "the native offspring of ministerial ignorance, obstinacy and want of principle," and in England, where the immediate object of the Ministers was, he said, to increase the influence of the Crown, and the power of the sovereign. Their policy he declared was conceived in ambition; it was nurtured by folly and rashness; it was founded on ideas totally subversive of the British Constitution; it was unjust and wicked in the extreme; it was carried on with violence and without prudence; and prosecuted in all its parts, with the most unrelenting and unheard of cruelty. In respect to the recovery of North America, he confessed that he had been "a very Quixote," and expected, because he most anxiously wished, that our colonies might be prevailed upon, to return to their "*former state of connection*" with this country. He had indeed pushed his expectations further, he believed, than any impartial person, informed of all the circumstances both here and in America, the present Administration excepted, ever had: but his hopes had long since vanished. "He had waked," he said, "from those dreams of British dominion, and every important consequence which he flattered himself might be derived from them. But as in the course of what he might have urged in favour of those delusive hopes, and vain and idle expectations, some

expressions of a loose, general, and indeterminate nature, might have fallen from him, he wished to be perfectly understood. Much as he valued America; necessary as the possession of the colonies might be to the power and independence of Great Britain; fatal as her final separation might prove, whenever that event might take place; as a friend to liberty, as a reverer of the English Constitution, as a lover of natural and political justice, he would be much better pleased to see America for ever severed from Great Britain, than restored to her possession by force of arms, or conquest. He loved his country; he admired her political institutions; but if her future greatness, power, and extent of dominion were only to be established and maintained on the ruins of the Constitution, he would be infinitely better pleased to see this country free, though curtailed in power and wealth, than possessing everything the most sanguine expectation could picture to itself, if her greatness was to be purchased at the expense of her constitution and liberty."

Early in November, Grafton informed Shelburne, that notwithstanding his unwillingness to abandon his retirement, he thought it advisable that they should both recommence a regular attendance in Parliament.\* Shelburne accordingly went to London, "and as soon as he arrived he conveyed to the

\* Grafton to Shelburne, Nov. 15th, 1781.

Marquis of Rockingham, through a channel highly respectable and of strict honour, a message to the following purpose; viz. that he was come to town in the design of being in perfect good humour, and of uniting in any plan of opposition, which might prove of essential advantage to the public; that he had always wished to stand upon the ground laid down in the second address, from the Committee of Association of the county of York; and that he still wished that Lord Rockingham would unite upon that ground; that if Lord Rockingham would propose any alteration in that plan, which would tend, in an equal degree, to reform the Representation of this country, he would agree to it, and that he did not doubt but that the county of York, &c., would also accede thereunto; that if Lord Rockingham would explicitly propose any other radical and effectual plan, which would unite and satisfy the friends of the country, both within doors and without; he would be willing to co-operate with Lord Rockingham upon such ground; that he wished never to see more than *two* parties; that of the Crown, and that of the People; and that he thought any *third* party, distinct from both, ruinous to the kingdom.

“Lord Rockingham (after having been pressed for two days) refused to accede to any of the three above mentioned propositions; but had no plan of

his own whatever, to propose. An union on the ground of the American war, was the only idea suggested by Lord Rockingham; which was thought much too vague, too weak, as well as too inadequate to the situation of the country for Lord Shelburne to accede to.”\*

Such was the position of affairs, when instead of the anticipated victories the news arrived on the 25th of November of the surrender of the army of Lord Cornwallis at York Town. Parliament was to meet on the 27th. “It is with great concern,” said the Royal speech, “that I inform you, that the events of war have been very unfortunate to my arms in Virginia, and have ended in the loss of my forces in that province.” It none the less spoke of prosecuting the war with vigour.† In both Houses amendments were moved to the address; in the Upper House by Shelburne, who insisted on the absolute impossibility of continuing the struggle, and moved an amendment which he supported with especial reference to the condition of the finances of the country. The last loan of twelve millions, he pointed out, had been borrowed by giving stock worth twenty-one; eighty millions had already been added to the National Debt, which would amount to one hundred before the next campaign

\* Lansdowne House MSS.

† “Parliamentary History,” xxii. 634.

was over; America could not be conquered by arms, and in Europe England had not a single ally. He then proceeded to say that he could easily account to himself why the King, who had seen his empire, from a pitch of glory and splendour, perfectly astonishing and dazzling, tumbled down to disgrace and ruin with a degree of precipitation which no previous history could parallel, should rise in greatness of mind superior to the dreadful situation of his affairs. As little was he surprised that ministers should take advantage of the noble sentiments of their monarch, and contrive and fabricate such a speech as should best flatter his personal feelings; but it was to be remembered, that those ministers had never governed long for the people's advantage in any country, who had not fortitude enough to withstand the mere impulse of their master's sentiments.\* The ministerial majority in the House of Lords was however not to be shaken, and the amendment was negatived by 31 to 75. In the House of Commons however the case was different. There the Opposition led by Fox and Burke, by Barré and Dunning, and reinforced by the rising talents of Pitt and Sheridan, carried on an incessant warfare against the Ministry, during the whole of the session before Christmas, and saw the majorities opposed to them steadily diminish. During the

\* "Parliamentary History," xxii. 644.

recess fresh disasters both by sea and on land came to confirm the necessity of peace, which now began to be demanded by the powerful voice of the mercantile community. The fleet of Admiral Kempenfelt was unable to face the French squadron owing to his own inferiority of numbers. St. Eustatia, Demerara, and Essequibo were retaken by the French, together with the colonies of St. Christopher, Nevis, and Montserrat. Finally Minorca which, lost in 1756, had been regained at the Peace of Paris, was obliged to surrender to the Duc de Crillon.

Lord North now felt that it was necessary to bend to the storm. He began by getting rid of the unpopular Lord George Germaine, whose fall was softened by an elevation to the Peerage as Viscount Sackville. This gave rise to two animated debates in the House of Lords, where many Peers strongly protested against the creation to be a Peer of a person "whose disgrace was entered in the Orderly Book of every British regiment."\* The question thereupon arose whether the House of Lords had the power of refusing to admit a new member. Shelburne on this occasion made a speech which became of great importance, quite apart from the merits of the conduct of Lord George Germaine and of the Court Martial which had condemned him in

\* "Parliamentary History," xxii. 1003.

1760.\* Already in 1778 when speaking on the Duke of Richmond's motion on the state of the nation, he had declared that he never would submit to the doctrine that the House of Commons were the only representatives and guardians of the people's rights; he asserted that the House of Lords were equally the representatives of the people; they held the balance; and if they perceived the Crown and the House of Commons uniting to oppress the people it was their duty to interpose. He also expressed a doubt whether the House of Lords was really too incompetent to alter a Money Bill, and he said that he should like to have the question fairly tried, were it for no other reason but to hear "the sleek, smooth contractors" come to the Bar, and declare that they and they only could frame a Money Bill and could alone dispose of the property of the Peers of Great Britain.† The first half of the above doctrine is undoubtedly correct. "The Lords," said Selden, "sit for the Commonwealth," and the truth of this maxim though frequently forgotten can be easily supported by reference to the historical origin of the Upper House. In the "Thoughts on the Cause of the present Discontents," Burke himself had formerly set the example of appealing to the people against a corrupt House of Commons, though in 1784 he foreswore his

\* "Parliamentary History," xxii. 1003.

† "Parliamentary History," xix. 1048, 1049.

own doctrine, and to a certain extent it would appear for no better reason than that Shelburne had since enunciated it.\* Returning to the question Shelburne now said that he had no objection to the King having an opinion of his own, and feeling an interest in the management of the affairs of the realm, and in that sense being his own minister, and unlike the King of the Mahrattas, a nominal monarch, with a Peishwa or efficient Cabinet holding the reins of Government and keeping the King locked up. He also desired to see a free and independent House of Commons. They now however had a high-toned prerogative Prince, and a servile and corrupt Parliament; the strongest symptoms of despotism and tyranny. He could not therefore but anxiously wish to see a perfect representation of the people, and when that happy time arrived he should be justified in entertaining a reasonable expectation of better prospects. Meanwhile, he asserted, the House of Peers held the balance between the Crown and the other House, and had the power to resist extraordinary stretches of the prerogative.† In its real constitutional point of view no man thought more highly of the House of Commons than he did; but when sunk in corruption, when it became the mere

\* "Motion relative to the Speech from the throne, 14th June, 1784," and in the "Thoughts on the French Revolution."

† "Parliamentary History," xxii. 1003.

creature of the minister and affected to be a kind of septennial nobility, without the dignity, the means, the situation, and the personal interest in the State, of a real aristocracy, it became an object of public contempt and an instrument of public danger.\* As to the question immediately before the House, he considered that a greater outrage had been committed, when the direction of the war had been placed in the hands of Lord George Germaine as Secretary of State, than now when he was created a Peer, and he would not himself have supported the motion against the creation, had it not been for the unconstitutional language about the prerogative held by the Ministers; more especially as he had no objection to make to the personal conduct of Lord George Germaine while in office.\*

The motion which had been brought forward in the House of Commons on the war with America had not contained any words which specifically bound the movers to recognise the absolute independence of America. Shelburne desiring that his own views on the question of America should not be misunderstood in the event of the retirement of Lord North, took the opportunity of a debate on the surrender of Lord Cornwallis to state that they remained unchanged since he had last spoken, and that while fully recognising that any attempt to restore the former

\* "Parliamentary History," xxii. 1006, 1021.

relations between the Colonies and the mother country would be useless, he was still as strongly as ever opposed to the absolute severance of all ties between them.\* Neither this speech nor that on the Sackville peerage, made co-operation between him and Rockingham easier; for the latter was now once more determined to insist on the unconditional independence of America, and fully intended that if he was Prime Minister, George III. should be a King of the Mahrattas. The difference of opinion between the two Whig leaders was now of greater importance than ever, for after a number of defeats equivalent to victories, the Opposition in the House of Commons carried a resolution on the 27th of February, declaring the advisers of the further prosecution of offensive war with America, to be enemies to their country. The following day the Attorney-General introduced a Bill to conclude a peace or truce with America, and an informal negotiation was at once set on foot in Paris with Franklin. On the 8th of March a vote of censure on the Ministers was lost by a narrow majority. The King now thought it advisable to consult Rockingham, through the Chancellor. Rockingham, who had a winning game to play, stated the propositions to be assented to by the King as follows: "American Independence, no

\* "Parliamentary History," xxii. 987.

veto; Establishment Bill; Great parts of Contractors Bill; Custom House and Excise Bill; Peace in general if possible; Economy in every branch.”\* The King refused these terms, and the negotiation after lasting eight days failed. Meanwhile the attack in the House of Commons continued. On the 15th a direct motion of want of confidence was brought forward by Sir John Rous, a former supporter of the Government, and was lost by a majority of only 9. Another motion of a similar character was put down for the 20th. The King however still declared that he would not throw himself into the hands of the Opposition, and he even talked of retiring to Hanover.† At length on the morning of the dreaded 20th, the King understood that the struggle could no longer be continued, and the same evening Lord North announced in the House of Commons that his Administration was at an end. The King now bethought himself of sending for Shelburne and an interview between them took place at the Queen’s house in the Park. “The King,” says Lord Shelburne, “proposed to me to take the Administration with the Chancellor, L<sup>d</sup> Gower, L<sup>d</sup> Weymouth, L<sup>d</sup> Camden, the Duke of Grafton, L<sup>d</sup> Rockingham, &c., if the latter would agree to state their pretensions of what they meant by a broad bottom, for the

\* “Rockingham Memoirs,” ii. 451-459.

† Walpole, “Journals,” ii. 520.

King's consideration. I declined this, as absolutely impracticable. The other features of this conversation were, the state of his health; his agitation of mind; his determination to risk anything rather than do an act of meanness; the cruel usage of all the Powers of Europe; the bad opinion of L<sup>d</sup> Rockingham's understanding; his horror of C. Fox; his preference of me compared to the rest of the Opposition; that it was unbecoming him to speak to many; that the general wish was for a Broad Bottom."\*

Shelburne after this interview reported what had passed to Rockingham. "You can stand without me," he said, "but I could not without you," and they resolved to wait. The King next sent for Gower, who however told the King that he could not help him.† "The following day," says Shelburne, "I stated to the Lord Chancellor the several advantages of the King sending to Lord Rockingham, which would result to himself and to the public, and would enable me to be of far more service both to him and to the public; but if he had conceived an invincible aversion to this measure, rather than see his health impaired, or that he should risk any desperate measure, I certainly would not run away from any opportunity

\* Lansdowne House MSS.

† Walpole, "Journals," ii. 522-524

of serving his Majesty or the public, providing the objection went no further, than what regarded the overt act stated of sending to Lord Rockingham in the first instance.”\* In the evening of the same day he made a bitter invective in the House of Lords against Lord North and Lord Stormont, in order to make it quite clear to the King, that it was not with them that he intended under any circumstances to ally himself.† On the 23rd the Chancellor came to see Shelburne, and informed him “that he had found the King invincible as to sending to Lord Rockingham himself; that the King had it in contemplation to send for a number of principal persons, in which he might be included, but was dissuaded from that measure as liable to many objections, and could not bring himself further than to receive his Lordship through me. I restated to the Chancellor the reasons for still pressing the other, but if it could not be effected, duty to him and the public forbade my running away; provided—

“1. That his Majesty would give me every engagement I had already entered into; clear both as to men and measures, at first setting out.

“2. That the assistance and co-operation of the

\* Lansdowne House MSS.

† “Parliamentary History,” xxii. 1232. Walpole, “Journals,” ii. 524.

Rockinghams was to be procured, cost what it would more or less.

“3. Full power and full confidence.

“Supposing the above granted, that I was at His Majesty’s devotion, and hoped to prove myself a faithful servant, from whom he might have nothing to apprehend.” \*

It was at last agreed by the King, that he was to accept Rockingham as the head of the Administration, but negotiate with him through Shelburne. The latter now entered into communication with Rockingham on the subject of the composition of the new Cabinet, and the measures to be pursued. Rockingham insisted very rightly that there should be no ambiguity on the latter subject.† Shelburne accordingly had another interview with the King, and explained to him that in the existing state of affairs the moment had arrived when he must make up his mind to state definitely to Lord Rockingham that he placed no veto upon American independence. The King unwillingly consented, but insisted on retaining Thurlow as his Chancellor, while Shelburne partly in order to compensate Dunning for waiving his undoubted claims to the Great Seal, and partly

\* Lansdowne House MSS.

† Rockingham to Shelburne, March 24th, 1782. Shelburne to Rockingham, March 24th, 1782. Rockingham to Shelburne, March 24th, 1782.

in order to have in the Cabinet some person of equal legal knowledge to Thurlow, demanded and obtained a Peerage for his friend with the Duchy of Lancaster either for life, or until the Lord Chief Justiceship became vacant.\* For this course there was a precedent in the case of the eminent lawyer, Sir Nicholas Lechmere, who in 1718 was raised to the Peerage, and at the same time received the Duchy for life. Dunning now accordingly became Lord Ashburton, taking his title from the village of that name in Devonshire where he was born. It was however only after many hesitations that he accepted the Duchy. "I have always," he wrote to Shelburne, "given myself the credit enough with your Lordship to have it believed and not imputed to a silly affectation, that instead of desiring I have a dread of any office of any sort, proceeding from a perfect satisfaction with my present situation, an apprehension that I cannot change it with credit to myself or advantage to my friends, and that as far as such talents as mine can be of any use, they may be better employed where I am. Your Lordship's authority has silenced though not satisfied me as to a particular office, (for which the habits of my life must have gone further towards qualifying me than for any other,) so far that when that

\* See Hansard, Series 1, vol. ix., 201, 202; and *infra*, ch. ix. "Character of Dunning."

office becomes vacant, if it shall be thought proper so to dispose of it, with a full sense of the danger I shall be ready to encounter it. But as to what your Lordship suggested last night of an interim situation, the more I think of it, the less I can bring my mind to the acceptance of an office which is in truth a pension under another name, and is to entitle me to public money without doing anything for it."

The other appointments were as follows: Lord John Cavendish became Chancellor of the Exchequer, Lord Keppel First Lord of the Admiralty, the Duke of Richmond Master General of the Ordnance, Mr. Fox Secretary of State for Foreign Affairs, Lord Camden President of the Council, the Duke of Grafton Privy Seal, and General Conway Commander-in-Chief. These with Thurlow, Dunning, and Shelburne, who became Secretary of State for Home, Irish, and Colonial Affairs, the third Secretaryship of State being about to be abolished, formed the Cabinet. Barré became Treasurer of the Navy, Thomas Townshend Secretary-at-War, Sheridan Under Secretary of State to Fox, and Burke, who was treated with strange neglect by his friends, Pay Master General; Lloyd Kenyon, the friend and once the pupil of Dunning, was appointed Attorney-General, and John Lee Solicitor-General. The Duke of Portland went to Ireland as Lord Lieutenant, with

Dunning to Shelburne, March 25th, 1782.

Colonel Richard Fitzpatrick, the friend of Fox and the brother-in-law of Shelburne, as his Secretary. It had been the wish of Shelburne to have given high office to Pitt, and at one moment it was all but so settled. On the 28th of March, Lady Chatham writing to Shelburne to congratulate him on his return to office, begs leave "to add a few words to express her own private happiness on the high honour done her son William, which increases that enjoyed by her on the propitious change that has taken place."\* It would appear however that Rockingham and his friends, already incensed at the promotion of Dunning,† succeeded in keeping Pitt out of the Cabinet. An inferior office he had pledged himself not to take, and he refused the Vice Treasurership of Ireland which was offered him ‡

Thus was formed the second Administration of Lord Rockingham. On entering office he was assured by the King, "that he would always receive his recommendations and advice, and the more so when they were concerted with Lord Shelburne and his other servants in the departments to which they related." The King also told his Whig advisers "that the same principle which induced Lord Shelburne

\* Lady Chatham to Shelburne, March 28th, 1782.

† "Memorials of Fox," i. 293. Wrazall, "Memoirs," iii. 13.

‡ 8th March, 1782. "Parliamentary History," xxii. 1114. Stanhope, vii. 214. "Life of Pitt," i. 72.

originally to give the advice of taking in Lord Rockingham's friends, must induce to make him act cordially with them." "To cement you more," he went on to say, "I forbore to make the Bottom wider. It is for the same purpose that I am now earnest to assure you, that I shall receive your advice and recommendation with great attention, but certainly the more if it meets with Lord Shelburne's concurrence, and *vice versa*. My opinion was to have the Administration consist of the ablest men without selection or party descriptions; Participation, not Division." \*

Men in general anticipated a long tenure for the new Ministers; others who were behind the scenes knew that the crew of the Whig ship was divided against itself and that the captain was dying. On the 25th of March, Shelburne met Fox going down to the House and told him that Dunning would move an adjournment to allow the final arrangements to be made. Fox curtly replied "that he perceived the Administration was to consist of two parts, one belonging to the King, the other to the public." † These words were the sure presage of the internal differences, which were now to be added to external difficulties in themselves quite sufficient to try even a united Cabinet; for no English Ministry had as yet

\* Notes of a conversation between the King and Lord Rockingham. Lansdowne House MSS.

† "Memorials of Fox," i. 292.

entered on so arduous a task, as that which in 1782 lay before Rockingham and his friends. They had either to end a disgraceful and a disastrous war, or to carry it on with the impaired resources and diminished prestige of a country, the army of which had been directed by Lord George Germain and the fleet by Lord Sandwich. In the East Indies, the Bailli de Suffren was almost a match for Admiral Hughes; in the West Indies the large armament, commanded by De Grasse, would, it was feared, prove equally dangerous to Admiral Rodney; Gibraltar was beleaguered by sea and land; Mahon had already fallen; England herself might before long be invaded. Sea and land were strewn with the wreck of previous defeats; and the sky was black with clouds presaging a renewal of disasters. It was consequently to the immediate restoration of the naval and military resources of the country that the first efforts of the new Ministers were turned. A circular letter was issued by Shelburne to the principal towns, containing suggestions for the immediate levy of corps of volunteers for the national defence. Keppel was equally active, and the low state of the fleet at home, lower by much than the retiring Ministry had told their successors that they would find it, was raised through zeal and alertness to a pitch which ordinary exertions could never have effected.\*

\* Autobiography of the Duke of Grafton.

It was however above all things necessary to pacify Ireland, in order to be able to negotiate successfully abroad. The concessions made by Lord North on the matter of commerce had come too late. "We have gotten commerce," said Grattan, "but not freedom," when, on the 19th of April 1780, he moved a resolution declaratory of the legislative independence of Ireland. The motion was then lost, and for a short time after, in Ireland as in England, the liberal movement lulled, only to gather new strength, as the inevitable termination of the war with America and the fall of North was foreseen. The repeal of the 6th of George I. and of Poyning's law, with the abolition of the superiority exercised by the English courts of law over those of Ireland, were openly demanded in addition to the former claim of a *quam diu se bene gesserint* tenure for the judges, and an annual Mutiny Bill. In these demands the whole of Ireland was united, and Grattan outstepping his more timid Protestant coadjutors, declared that he would refuse to give freedom to but 600,000 of his countrymen, when he could extend it to two millions more, thereby sounding the knell of Catholic disabilities. At the back of these formidable demands was the equally formidable force of the Volunteers. Lord Carlisle who in 1781 had been sent over, with Mr. Eden as his Secretary, to replace Lord Buckinghamshire,

did not conceal from his official chiefs in England, that matters had arrived at that point, where a greater or less amount of concession was absolutely necessary.

Such was the position of affairs when in March 1782, the Duke of Portland became Lord Lieutenant of Ireland, and Shelburne Secretary of State. The recall of Lord Carlisle was embittered by his simultaneous dismissal from the Lord Lieutenancy of Yorkshire, to which Lord Caermarthen was now restored. The dismissal was looked upon as a personal affront. Eden returning to London, refused to hold any communication with the new Government, and in order still further to embarrass them, he on the 8th of April himself proposed the repeal of the 6th of George I. Fox however, in an impassioned speech, overwhelmed him with shame, complaining with great justice of the unfairness of not allowing the Government even a few days to deliberate on the question.\*

The 16th of April was the day fixed by Grattan for his motion declaratory of the legislative independence of Ireland. On the 11th, Shelburne presented to the Lords a message from the King recommending the House to take the affairs of that country into their most serious consideration.

\* Eden to Shelburne, 5th April, 1782. "Parliamentary History," xxii. 1241.

In presenting this message he declared, that in the situation of Ireland the popular demands must be listened to, that vain forms would not prevent a wise Administration from adopting that course, and that from all he could learn, there existed in the country a fund of loyalty and attachment which no misfortune or calamity had been able to shake.

It was evident that in the event of Grattan carrying his resolution in the form which he proposed, a task of the utmost difficulty would at once be imposed on the English Ministry, at a moment when their hands were already more than full. Rockingham and Fox were exceedingly anxious to gain time. Grattan however absolutely refused. It was the opinion of the English officials in Dublin, that he had been encouraged thereto by the speech which Shelburne had just made. "Lord Shelburne's speech," Fitzpatrick wrote to Fox, "gives great satisfaction here, and probably if there had been any chance of soothing this country into moderation, would have done infinite mischief. It is curious enough, that while he is recommending us to support the authority of England more than we either can, or I think, ought to do, he should be declaring in the House of Lords that the claims of Ireland *must* be acceded to." \* Portland wrote to Shelburne himself in a similar strain. "Your Lordship's speech," he said,

\* Fitzpatrick to Fox, 19th April, 1782.

“as reported by the newspaper writers, was received with the utmost exultation and joy. For it was considered here as an unequivocal proof not only of the inclinations of the King’s Ministers, but of the Parliament on your side, and particularly of the House of Lords, and the conclusion drawn from it, amounted almost to a conviction in the minds of people here that you coincide in all their wishes, that you allow them to be founded in justice, and that they must be granted of necessity.”\*

On the 16th the Irish House of Commons met, and Grattan carried an amendment to the address to the effect that Ireland “was a distinct kingdom with a separate Parliament, and that this Parliament alone had a right to pass laws for her.” The amended address then went on to recapitulate the various points which England was summoned to yield. The Cabinet were now above all things anxious to obtain some delay, in order to consider the various knotty points of constitutional law, which at so short notice, they were called upon to determine. “It would give me a bad opinion,” wrote Shelburne to Fitzpatrick on the 19th of April, “of Mr. Grattan’s head, who am inclined to have a very good one both of his head and heart, if he objects to the adjournment. The only thing I fear of you, is giving way too easily. It is incredible how much is got by arguing and persever-

\* Portland to Shelburne, 24th April, 1782.

Grace felt yourself at a loss in regard to the opinion you were to give of the wishes or sentiments of the people, nor could you positively assert without better information that there was even any intention of retaining the advantage of appealing to the Judicature of England, while every one of the propositions in question seemed to be insisted upon with unanimous zeal and ardour. I must therefore hope, that your Grace will have gained such additional insight into the nature and extent of their views, that by the aid of your advice we may be enabled to settle a successful plan, and adopt the measures most conducive to the speedy termination of the discontents and jealousies upon each specific head of complaint. If those ties by which the two kingdoms have been hitherto so closely united, are to be loosened or cut asunder, is your Grace yet prepared to advise whether any and what substitutions, are thought of for the preservation of the remaining connection between us? If by the proposed modification of Poyning's law so much power is taken from the two Privy Councils, as they are now constituted, are we to look for any agreement in any new institution of Council, which may answer the purposes of keeping up the appendancy and connection of Ireland to the Crown of Great Britain, and of preventing that confusion which must arise in all cases of common concern from two Parliaments acting with distinct and equal

powers, and without any operating centre? In addressing these queries to your Grace I make it evidently appear that I seek for information, and do not yet hold myself competent to offer any digested plan, or propose any definitive resolution upon them. Without therefore dwelling any longer at present upon the particular force and extent of the several requisitions made by the two Houses, and upon the probable degree, in which they may be induced to recede from those terms, and agree to a discussion and accommodation to mutual contentment, I can only repeat my hope of great assistance from a full communication of those opinions and ideas, which your Grace has opportunity of deriving from the parties themselves, and are yourself so entirely capable of suggesting, upon this very interesting and complicated subject. But I must with yet more earnest expression assure your Grace of my entire reliance upon your advice, with respect to the different modes in which it would be wished, or be thought most advisable for us to proceed to a disquisition of these articles of treaty, (for as such I regard them,) towards that final adjustment, wherein we are certainly on both sides so deeply interested, and must be so anxious to compose our differences, and cement a-new, with fresh attachment, the bonds of connection between us." \*

\* Shelburne to Portland, 29th April.

Grattan however plainly intimated to Shelburne through a mutual friend, that he would admit no treaty or negotiation. There was not only to be no foreign legislature, but also "no commissioners."\* The only concession which Portland was able to obtain was the adjournment of Parliament for three weeks from the 4th of May, "but," he wrote despairingly to Shelburne, "it is no longer the Parliament of Ireland that is to be managed or attended to. It is the whole of this country; it is the Church, the law, the army I fear, when I consider how it is composed; the merchant, the tradesman, the manufacturer, the farmer, the labourer, the Catholic, the Dissenter, the Protestant; all sects, all sorts and descriptions of men:" and he sorrowfully confessed that it was true that every letter he had written had progressively reduced the hopes he had originally held out.†

"Every day," he went on, "convinces me not only of the impossibility of prevailing on this country to recede from any one of the claims set forth in the addresses, but of the danger of new ones being started. The hope I expressed of reserving the final judicature, if not totally, at least by retaining the writ of error, no longer exists. I recommend that positive assurances be given them that

\* Grattan to Mr. Day, April 22nd. Grattan to Fox, May 6th.

† Portland to Shelburne, May 6th, 1782.

the alteration of the Mutiny Bill, and the modification of Poyning's law, shall be conceded to them in the form required by their Address; that the 6th of George I. shall be repealed, and that Writs of Error shall no longer be received by our Court of King's Bench; but that, as Great Britain by these concessions is desirous, not only of satisfying the expectations of the Irish upon all constitutional points, but of preventing every possible source of future jealousy and discontent, she does not doubt of receiving an unequivocal testimony of a corresponding disposition on the part of Ireland, and is persuaded that the Parliament of this country will co-operate in the most effectual method, either with the King's confidential servants, or with Commissioners appointed by the Parliament of Great Britain, or through the medium of the Chief Governor of this kingdom, to settle the precise limits of that independence which is required, the consideration that should be given for the protection expected, and the share it would be proper for them to contribute towards the general support of the Empire." \*

With this information before them the Cabinet had no choice, and on the 17th of May Shelburne carried without serious opposition the two following resolutions in the House of Lords.

\* Portland to Shelburne, May 6th, 1782.

1. "That it is the opinion of this House, that the Act of the 6th of George I., entitled 'An Act for the better securing the dependency of Ireland upon the Crown of Great Britain,' ought to be repealed."

2. "That it is the opinion of this House, that it is indispensable to the interest and happiness of both Kingdoms, that the connection between them should be established by mutual consent, upon a solid and permanent footing, and that an humble Address be presented to his Majesty, that his Majesty will be graciously pleased to take such measures as his Majesty in his royal wisdom shall think most conducive to that important end."

Similar resolutions were moved and carried by Fox in the House of Commons, and at once sent over to Ireland accompanied with an assurance that Bills founded upon them would be at once introduced.\* Instructions were at the same time given that no opposition was to be offered to the other measures of reform, which naturally originated in the Irish Parliament.† The joyful tidings was followed in Ireland with a burst of gratitude, and the Parliament voted 100,000*l.* for the levy of twenty thousand seamen. "You will not be displeased," wrote Portland to Shelburne, "at the proof your countrymen have given of their gratitude, liberality, and affection to Great Britain. I am not afraid of the speedy revival of their confidence, and though a very considerable, and I confess, not unnatural share of jealousy remains, if some temper

\* "Parliamentary History," xxiii. 16-48.

† Shelburne to Portland, May 18th, 1782.

and patience could be taught them, they would become as useful members as they actually are zealous admirers of the English Constitution; but I must add that in my opinion, time is requisite to effect this purpose.”\*

The Irish nation could not however be persuaded to make any concessions in accordance with the spirit of the second resolution of the English Parliament. For some time indeed Portland deceived himself with vain hopes, as the two following letters will show.

*Duke of Portland to Lord Shelburne.*

“*Most Secret and Confidential.*      Dublin Castle, Thursday noon.  
June 6, 1782.

“MY LORD,—The measure which I stated to your Lordship in my letter of last night as a sufficient inducement for deferring the Prorogation of Parliament, is of so delicate a nature, and requires so much secrecy and management, that I think it unadvisable to trust the communication of it to any other hand than my own, and as it is possible that the event may not justify the hopes I entertain, it would be perhaps more prudent to suppress the intelligence, which I am about to give you, until I would transmit the plan *properly authenticated* for the consideration of your Lordship and the rest of

\* Portland to Shelburne, June 8th, 1782.

the King's confidential servants. However as I feel that I have a right to take credit for my endeavours, and that the Ministers in England equally partake of my responsibility in the Administration of the affairs of this country, I am as anxious that they should share any merit that can be derived from our joint conduct, as that they should be liable to any blame, to which the adoption of ill-advised or inconsiderate measures may expose them. I shall therefore acquaint your Lordship, that I have good reason to hope that I may be shortly enabled to lay before you the sketch or outlines of an Act of Parliament to be adopted by the Legislatures of the respective kingdoms, by which the superintending power and supremacy of Great Britain in all matters of State and general commerce will be virtually and effectually acknowledged, that a share of the expense in carrying on a defensive or offensive war, either in support of our dominions or those of our allies, shall be borne by Ireland in proportion to the state of her abilities, and that she will adopt every such regulation as may be judged necessary by Great Britain, for the better ordering and securing her trade and commerce, with foreign nations, or her own colonies or dependencies, consideration being duly had to the circumstances of this country. I am flattered with the expectation of receiving the most positive assurances from Mr. Grattan (who

may be considered as omnipotent) and his friends, of their support in carrying such a Bill through both Houses of Parliament, and in case such an object could be obtained, I should presume that it would be very desirable to trespass upon the patience of this country to bring it to perfection, even in the present moment. Your Lordship may depend upon the earliest accounts of my success in this business.

“I have the honour to be, with great regard and esteem,

“My Lord,

“Your Lordship’s most obedient humble Servant,

“PORTLAND.”

*Earl of Shelburne to the Duke of Portland.*

“London, 9th June, 1782.

“MY LORD,—In the very instant of the departure of the messenger with the despatches accompanying this letter, I have the honour to receive your Grace’s of the 5th and your most secret and confidential letter of the 6th.

“The contents of the latter are too important, to hesitate about detaining him, while I assure your Grace of the satisfaction which I know your letter will give the King. I have lived in the most anxious expectation of some such measure, and nothing prevented my pressing it to your Grace in this last

despatch, except that having repeatedly stated the just expectations of this country, I was apprehensive of giving that the air of demand, which might be better left to a spirit of voluntary justice, gratitude, and foresight. I therefore gave your Grace confidence for watching the temper of those you had to deal with, and cannot express the pleasure it gives me to find that confidence justified. Bargains and compacts may accomplish little objects, but great ends must commonly be obtained by a bolder policy. No matter who has the merit, let the two kingdoms be *one*, which can only be by Ireland's *now* acknowledging the superintending power and supremacy in *precise* and *unambiguous* terms, to be where nature has placed it. I am sure I need not inculcate to your Grace the importance of *words*, and to leave nothing loose in an Act which must decide the happiness of ages, particularly in what regards matters of trade and contribution. Your Grace will have every merit which I can give you. Mr. Grattan, if he has the power your Grace attributes to him, may prove his mind to be enlarged as well as virtuous, and may justify all that Parliament has done in his favour. I can assure your Grace of every support in the prosecution of this measure, and of the most confidential return to every communication you think the public service may require. I entirely agree in your Grace's reasons for

putting as speedy an end as possible to the present Session, unless the measure your Grace has in contemplation can be obtained.

“The King is at Windsor. Almost everyone else is out of town. I therefore only write the sentiments of

“Your Grace’s, &c. &c.

“SHELBURNE.”

Notwithstanding the expectations of Portland, it was found impossible to persuade Grattan and his enthusiastic followers, on whose support the Lord Lieutenant had so confidently relied, that their work was incomplete. The recent changes were claimed by them to be a final settlement of all outstanding differences. Only two members, Mr. Walsh and Sir Samuel Bradstreet, had the courage to record the opinion that “there no longer existed any constitutional question between the two nations that could interrupt their harmony.” Meanwhile 211 members voted in the other lobby, and time was left to judge between them and the minority.\*

It has been seen that the affairs of Ireland were not settled without suspicions being excited between the two Secretaries of State, Fitzpatrick accusing Shelburne to Fox of holding one language in the

\* Plowden, i. 226.

House of Lords, and another in his despatches to Portland. These suspicions were soon converted into positive opposition.

“Though Lord Shelburne had the confidence of the King from March 27th, when the Administration was dismissed,”—so he writes himself in an unfinished memorandum on these times—“yet from the influence of the Rockingham party, their number in the Cabinet, and their numbers in Parliament, it was impossible for him to do much good. He found it easier to prevent evil. He made to them three propositions,—(1) for a Reform of Parliament, (2) for a general reform of the receipt and expenditure of the Publick Revenue, (3) to bring Lord North to a Publick Trial for the American War, and other measures.”\* These proposals were rejected by the Cabinet. The reform of the Civil List, and the diminution of Royal influence in Parliament were however points which Rockingham had insisted upon before accepting office, and these he at once proceeded to carry out. Hardly however was his scheme framed before the King began to raise difficulties, and appealed to Shelburne to support him.

In order to spare the feelings of the King as far as possible Shelburne suggested that the latter should of his own accord abolish the doomed offices, and that the abolition should in every instance have

\* Lansdowne House MSS.

the subsequent sanction of an Act of Parliament. This was not however settled without a warm debate in the Cabinet. "I told them," says Fox writing to Fitzpatrick, and speaking of the Chancellor and Shelburne, "that I was determined to bring the matter to a crisis, as I am, and I think a few days will convince them that they must yield entirely. If they do not, we must go to war again. That is all; I am sure I am ready." \*

The following letters which passed between the King and Shelburne illustrate the respective positions of the two parties in the Cabinet.

*The King to Shelburne.*

"Queen's House, April 12th, 1782.

10 m. pt. 9, A.M.

"THE Cabinet being summoned to a meeting this morning on the subject of what is called the Establishment Bill, I late last night thought it right to cast my eye on it, and finding some parts more revolting than others to my mind, thought that the very handsome manner in which Lord Shelburne has spoken on this very unpleasant business to me, demanded my writing without reserve to him on this very personal subject; and my sending the copy I have of the old Bill as printed when Mr. Burke was carrying it through

\* "Memorials of Fox," vol. i. pages 314-315.

the House of Commons, with written references on the margin, and the fate of each clause in the Committee. When Lord Shelburne has made his use of the Bill, I desire he will return this copy to me, but before I enter on this business it may not be improper for me to state what passed on this measure to the best of my recollection with Lord Shelburne and afterwards with Lord Rockingham.

“When necessity made me yield to the advice of Lord Shelburne in permitting him to offer the Treasury to Lord Rockingham, four propositions were insisted on by that quarter.

1°. No veto to the Independence of America. 2°. Contractors Bill. 3°. Disqualification of Revenue Officers from voting at Elections of Members of Parliament. 4°. The reduction of several offices proposed in Mr. Burke’s Establishment Bill, and a rigid economy in the Administration of the Civil List.

“The answers I gave were I hope cautious and not unsatisfactory as to the three first, and therefore need not be repeated here; as to the last I declared a willingness to introduce the most rigid economy; but that I trusted it could not be meant under that word either to affect the dignity of the Crown, by reducing such offices as had any peculiar attendance on the person of the King, or to diminish its comforts by disabling it from those acts of

benevolence which alone make the station bearable; and that I supposed it could now be settled by interior regulations, and was an object for the attention of the Cabinet as far as related to the interest of the Crown, as I thought public economy the object of Parliament.

“Thus things stood till last week, when I found the language of the Marquis of Rockingham changed, and that his ideas began to run entirely on bringing the Civil List before Parliament, and within these two days he has avowed that he means to introduce the whole of Mr. Burke’s Bill, and it was with the utmost difficulty I could prevent his taking such a step in the House of Commons, without previously laying the matter before the Ministers, saying it was one of his four propositions, and therefore did not require any consultation.

“He means to-day to lay a message before the Cabinet which though I tried to avoid it, he obliged me to read yesterday, but on which I did not utter a syllable; now what I wish is—

“1°. That L<sup>d</sup> Shelburne will consider at the meeting how far it is necessary for this business to be opened by a message from me.

“2°. That the Bill if necessary shall be examined clause by clause at the Cabinet, that the Ministers may coincide in it, and have no diversity of opinions in either House of Parliament.

“3°. That those offices which have any peculiar attendance on the Crown may be continued. By the present arrangement, the Treasurer and Comptroller of the Household, the Master of the Buck-Hounds, and the Master of the Jewel Office, are continued. I expect the Master of the Robes also to remain. He has the peculiar attendance of carrying my train at the House of Lords and at all the ceremonies of the Garter besides constant attendance at my public dressing.

“4°. In page 13 it is proposed that the Pensions (as it is called in the Bill, but should be Establishment of the different branches of the Royal family and the King’s Privy Purse) shall in future be paid fifth in the new order of payments. They have uniformly stood first, as they ought now to remain.

“5°. No diminution of the Privy Purse, which in reality is the only fund of which I have the total disposal, and from which I pay private bits of benevolence, and every improvement in my gardens, nay, many articles of convenience for the Queen as well as myself.

“6°. In page 4 there is a very grating clause that the Crown shall be furnished for its table, household furniture &c. by open contract as an hospital. I am certain this must revolt every one’s mind, if it had not stood part in Mr. Burke’s Bill, and having been much reprobated in the House will

now be proposed to show the weight acquired there.

“6° It will be impossible to carry on the common affairs of my household, if all payments are transferred to the Exchequer, for instance if a messenger is to be sent suddenly abroad he cannot get his travelling money under some days if it is to be paid at that office; the Secretary of State or the Chamberlain’s Office must have money on account to answer such services, as also the Master of the Horse for the purchase of horses, the steward of the Household for several articles; I only give these instances that at the moment occur; many others must be under the same predicament. Lord Shelburne has seemed very solicitous for my health, which undoubtedly is much interested in the fate of this business. If I am made uneasy in my private situation, it cannot be expected I shall not severely feel it, and that it will add to my disquietude at having been forced to yield to the times.

“If Lord Shelburne has any wish to consult the Chancellor in the different stages of this business, I do not object to his showing him this letter; all that can be done at the Cabinet this day is to settle if a message is to be sent; then the words of it, and that a Bill when framed shall be laid before the Cabinet for examination previous to being presented to Parliament.

“G. R.”

“Queen’s House, April 13th, 1782.  
59 m. pt. 3. P.M.

“ON coming home I found this box containing the printed Bill I sent yesterday to L<sup>d</sup> Shelburne and a copy of the extract of it; I think it may not be improper to mention that L<sup>d</sup> Rockingham rather cautiously avoided any explanation of what had passed at the Cabinet, and I showed no curiosity, but he chose to express his ideas of the necessity of the message, and an intention of not laying a list of the offices to be reformed, nor the other matters to be fixed by the proposed Bill before the Cabinet, lest the Ministers should not all coincide in his opinions, which were to follow very exactly Mr. Burke’s former Bill. I said I thought it absolutely expedient the Cabinet should weigh every clause before the Bill came before the House of Commons; that I wished it the more as I hoped to be as little as possible mixed in the whole business; besides it was better to accommodate the Bill to the ideas of the members of the Cabinet, than by not consulting them have them take different lines on this business in Parliament.

“G. R.”

*Lord Shelburne to the King.*

“16 April, 1782.

“SIR,—I have considered since Sunday the state of the Civil List business, and its probable course,

and am desirous of submitting to your Majesty's better judgment, whether there would be any inconsistency with the line of conduct your Majesty has laid down, to order Lord Rockingham to lay before your Majesty the alteration proposed in your Household, Wardrobe, Stables, and other Court Services, after consulting the persons most experienced in each of these services, with a comparative view of their present and their intended state, in regard to expense and every other circumstance. I humbly conceive that this may be done under the head of interior regulation, and need not interfere with the desire your Majesty has expressed of mixing as little as possible in the large changes proposed, which go to the reduction of Ministerial influence in Parliament. Whoever was to explain these details to the House of Commons can easily put them on paper for your Majesty's consideration, and your Majesty may refer them afterwards to the Cabinet.

"I proposed to dwell in the House of Lords on the large line of Public Expenditure, already taken up by the Commissioners, as the object worthy attention in an economical point of view, and that the proposed reduction of Ministerial influence arising from the Civil List, must make the struggle within and without doors, who should contribute most to your Majesty's dignity, comfort, and splendour. I

am very sorry on many accounts, that the line of the Message in the House of Commons was so much departed from, as to make it impossible for any person to take the line I proposed without hazarding a public breach.

“I have the honour to be with most respectful attachment

“Your Majesty’s dutiful Subject and

“devoted Servant

“SHELBURNE.”

Still further differences of opinion arose between Shelburne and Fox when the Contractors Bill reached the House of Lords. An amendment was moved and carried by Lord Ashburton, after a strong speech in favour of the Bill by Shelburne, excepting from its operation contractors selling nothing but the growth, product, or manufacture of their own estates. When however the Bill was returned to the House of Commons, the amendment was objected to with great vehemence by Fox and rejected.\* The question of Parliamentary reform next ranged the two sections of the Ministerial supporters in opposition to one another. On the 7th of May, Mr. Pitt brought forward a motion on the question. It was thrown out by a majority of twenty, by a combination of the former supporters of Lord North and

\* “Parliamentary History,” xxii. 1356, and xxiii. 74

those of Lord Rockingham led by Burke, though on this occasion Fox and Sir George Savile were not found voting with their usual friends\* There were also a variety of miserable differences relative to Court appointments, with reference to which Shelburne wished to humour the King, for he had discovered that the latter if treated by his Ministers with deference on small matters which concerned his personal position, was willing to support them in the large measures, which they wished to propose to Parliament. The Whigs however were determined to fill the Court entirely with the members of their own connection, and to make the King as much a slave in his own palace, as he had been in the time of George Grenville, of whose visits he about this time assured Shelburne he had a most disagreeable recollection.†

It is however possible that notwithstanding these various causes of offence, a rupture between the two sections of the Cabinet, who were popularly compared to Hanoverians and Hessians in the same camp,‡ might have been avoided, had it not been for the negotiations with America, and the belligerent powers in Europe.

\* "Parliamentary History," xxii. 1416.

† The King to Shelburne, April 12th, 1782. Autobiography of Grafton. "Memorials of Fox," i. 313, 324.

‡ "Nicholls' Recollections," i. 96.

## CHAPTER IV.

## THE FIRST NEGOTIATION IN PARIS.

1782.

IN America, with the exception of New York, Charlestown, and a few other posts on the coast, the whole mainland of the Thirteen revolted Colonies by the beginning of 1782 was lost to England. The forces of Spain had overrun West Florida, had captured the Isle of Providence, the Bahamas, and also Minorca. The French fleet had taken Granada, the Grenadines, St. Vincent, Dominica, St. Christopher, Nevis, and Monserrat. On the other hand, the English forces had captured St. Lucia, the French establishments in Senegal, the Island of Goree on the coast of Africa, Chandernagore, and the French establishments on the coast of Bengal and Orissa, Pondicherry, Karical, Mahé, and the Comptoir of Surat. From the Dutch they had taken Trincomalee and Negapatam. Such were the chief territorial changes which had resulted from the war. Besides

the question how far the peace was to confirm them, there were others equally certain to be brought forward in any negotiation between England and the belligerents. Such were the rights of the French fishermen off Newfoundland, under the Treaties of Utrecht and of Paris; the clauses of former treaties relating to Dunkirk; and the commercial relations between the two countries. It had never yet been definitely agreed, how far the rejection by the English House of Commons of the eighth and ninth clauses of the Treaty of Utrecht, had invalidated the other commercial clauses of that treaty. It was also more than probable that the question of the rights of neutrals would be mentioned, especially if the Northern Powers became parties to the negotiation.

After the peace of Teschen in 1779, Austria anxious to regain the prestige she had lost on the question of the Bavarian succession, had joined Russia in various attempts at mediating between the belligerent powers. These attempts were renewed in 1780 and 1781, but without result. The Court of Vienna was too intimately bound to that of Paris by family ties, and too much bent on aggressive projects against the Turkish Empire, to care to negotiate with much spirit between the belligerents. The ill-regulated mind of the Empress Catherine was indeed anxious to make the voice of Russia heard in every

quarter of the globe; but except as regarded her own aggrandisement in the East, she had no definite ideas, and her plans varied with the varying influence of the favourites who surrounded her throne. Frederic the Great continued to regard England with the aversion which he had exhibited towards her ever since the peace of 1763, and was inclined to cultivate good relations with France, through fear of Austria. The refusal by England of any mediation in which the revolted Colonies should be included, had finally alienated her from the Continental Powers, and left her bereft of every friend and ally.

It was the opinion of Fox, in keeping with the recent traditions of English diplomacy, that the chief object of the Court of London should be to form alliances with the Northern Powers. The opinion of Shelburne was different. The failure of Chatham's scheme for a grand Northern alliance in 1767, the inconstancy of the Empress Catherine, and the high-handed proceedings of the Three Powers against Poland, made him but little anxious to introduce the Northern Powers into the negotiation.\* Ultimately he even hoped to revert to the policy of earlier times when, as in the days of Elizabeth, of Cromwell, and of Walpole, France was the ally and

\* Fox to Harris, April 11th, 1783.

not the foe of England, and to oppose the alliance of the Western Powers to the aggressive designs of the Northern Courts. Already in 1769 the idea of such an alliance had crossed his mind; but ancient national jealousies had rendered it impracticable. In the altered temper of the French nation, however, he expected to find the lever for a new and more enlightened policy, which Court intrigues and reactionary traditions would be powerless to break. The France of Louis XVI. was in his opinion as different from that of Louis XIV., as the character of the former from that of the latter monarch. Whoever, he said, had travelled in the country knew that public opinion was entirely changed. A spirit of individual as well as general independence prevailed; the rage of serving in armies was abated; men enjoyed consideration independently of any connection with the Court or of the Minister; liberal principles were gradually establishing themselves without regard to the old traditions of the government, and war either for the sake of Court caprices, or additional trade or additional territory, was coming to be regarded as an exploded superstition.\*

Such were the ultimate objects of Shelburne; whether or no he would be able to carry them out, would depend on his own influence in the Cabinet,

\* "Parliamentary History," xxvi. 554.

and the temper shown by Vergennes, and the other French Ministers. The recent fall of Necker had put an end to all hopes of administrative reform in France, as that of Turgot had to the idea of economic progress in the Government of the country, and the chances of a peaceful policy prevailing at Versailles were diminished in proportion. The war party, headed by the Marshal de Castries, and supported by D'Aranda the Spanish Ambassador, held up its head, elated by recent success, and ambitious of further glory; while Vergennes, though too able a man to conceal from himself that peace was necessary to his country, was determined to keep his place, and knew, that in order to do so, he could not afford to scout the traditions of Choiseul, as the representative of which he had come into power.

At the moment accordingly that negotiations were set on foot, there seemed but little hope of finding the Court of France peaceably inclined. Fox, alone among the Ministers, though strongly opposed to a French alliance, inclined to a contrary opinion, and imagined that the independence of America once recognized, no further demands would be made upon England. It was therefore his wish to recognize that independence immediately, and by a rapid negotiation to insure the conclusion of what he believed would prove a favourable peace. Shelburne on the contrary believed that further concessions

would be asked by France, and that the best chance England possessed of obtaining honourable terms, was to reserve the recognition of independence as part of the valuable consideration to be offered to the Colonies for favourable terms, and to use the points where the interests of France, Spain, and the Colonies were inconsistent, to foment difficulties between them, and be the means of negotiating, if necessary, a separate peace with each of the belligerents, as opportunity might offer.

The circumstances of the time favoured the design. Vergennes had not gone to war for the sake of American independence, but in order to humiliate England. He not only did not intend to continue the war a day longer than was necessary to establish a rival power on the other side of the Atlantic, but was desirous of framing the peace on conditions such as would leave England, Spain, and the United States to balance one another, and so make France paramount. He therefore intended to resist the claim which the Colonies had invariably advanced of pushing their frontiers as far west as the Mississippi, and proposed, following the example of the Proclamation of 1763, to leave the country between Florida and the Cumberland to the Indians, who were to be placed under the protection of Spain and the United States, and the country north of the

Ohio to England, as arranged by the Quebec Act of 1774.\* Nor was he prepared to support the claim of the New Englandmen to fish on the banks off Newfoundland, over a considerable portion of which he desired to establish an exclusive right for his own countrymen, in keeping with the French interpretation of the Treaties of Utrecht and Paris.

Of a still more pronounced character were the views of Spain. Her troops had recently conquered West Florida and threatened East Florida as well. She had determined to obtain formal possession of these territories, and to claim that they ran into the interior till they reached the great lakes. The United States, according to both the French and Spanish idea, were therefore to be restricted to a strip of land on the coast of the Atlantic Ocean, bounded by almost the same line which France had contended for against England after the Treaty of Utrecht.†

In 1779, when the alliance of France was not a year old, and the great triumph over Burgoyne was fresh, Congress notwithstanding the pressure of M. Gérard, the French envoy, had adopted the following conditions as the ultimatum for peace :

(1.) The acknowledgment of the independence

\* "Life of Jay," i. 144 ; ii. 476 ; and see Map A.

† "Life of Jay," ii. 472-477.





of the United States by Great Britain, previous to any treaty or negotiation for peace.

(2.) The Mississippi as their western boundary.

(3.) The navigation of that river to the southern boundary of the States with a port below it.

They also passed a resolution to the effect that any interference after the conclusion of peace by any power with the fishery off Newfoundland hitherto exercised by the inhabitants of the Colonies, should be regarded as a *casus belli*.

"The advice of the allies, their knowledge of American interests, and their own discretion," \* were in other matters to guide the American Commissioners sent to the European Courts. As however the war progressed, and French assistance, especially in money, became of greater and greater importance to the Congress, the tone of their instructions became sensibly modified, under the pressure, first of M. Gérard and then of Count Luzerne, his successor.

On the 25th January 1780, M. Gérard having obtained the appointment of a Committee of Congress, informed them that the territories of the United States extended no further west than the limits to which settlements were permitted by the English proclamation of 1763; that the United States had no right to the navigation of the Mississippi, having no territories adjoining any part of

\* "Life of Jay," i. 125.

the river; that Spain would probably conquer both Floridas, and intended holding them; and that the territory on the east side of the Mississippi belonged to Great Britain, and would probably be conquered by Spain. He at the same time urged upon Congress the immediate conclusion of an alliance with that power, to which Jay had been sent as Commissioner in 1779. On the 15th February, Congress having considered this communication, resolved to instruct Jay to abandon the claim to the navigation of the Mississippi. This practically implied the abandonment of the claim to that river as the western boundary. Shortly after, and again on the demand of Luzerne, the instructions to Adams, who had been appointed Commissioner for negotiating a peace, and was then in Europe, were altered. Independence was to be the sole ultimatum, and Adams was to undertake to submit to the guidance of the French Minister in every respect. "You are to make the most candid and confidential communications," so his amended instructions ran, "upon all subjects to the Ministers of our generous ally the King of France; to undertake nothing in the negotiations for peace or truce without their knowledge or concurrence, and to make them sensible how much we rely upon his Majesty's influence for effectual support in every thing that may be necessary to the present security or future prosperity of

the United States of America." \* As a climax Count Luzerne suggested and Congress agreed to make Jay, Franklin, Jefferson, and Laurens, joint Commissioners with Mr. Adams.

Of the body thus appointed Jefferson refused to serve, while Laurens, as already seen, was captured on his way to England. Of the remaining Commissioners, John Adams was doubly odious to the diplomatists of France and Spain, because of his fearless independence of character, and because of the tenacity with which as a New Englander he clung to the American rights in the Newfoundland fisheries; Jay had been an enthusiastic advocate for the Spanish alliance, but the cavalier treatment he had received at Madrid, and the abandonment of the Mississippi boundary by Congress, had forced upon him the conviction that his own country was being used as a tool by the European powers, for their own ulterior objects.† The French he hated. He said "they were not a moral people, and did not know what it was." ‡

Not so Franklin, influenced partly by his long residence in the French capital, and by the idea that the Colonies were more likely to obtain their objects, by a firm reliance upon France than by

\* "Life of Jay," i. 124-129, 134.

† "Life of Jay," i. 120, 143, 144.

‡ "Works of Adams," iii. 303."

confidence in the generosity of England.\* He also pointed to the terms of the treaty he had negotiated with the former power, which forbade either party to conclude a separate peace without the leave previously obtained of the other, as imposing a moral and legal obligation on his countrymen to follow the policy which he believed their interests as a power required them to adopt. Meanwhile the King of France congratulated Congress on having entrusted to his care the interests of the United States, and warned them that if France was to be asked to continue hostilities for purely American objects it was impossible to say what the result might be, for the system of France depended not merely on America, but on the other powers at war.†

About the period when the Administration of Lord North was tottering to its fall, Lord Cholmondeley then on his way to England called upon Franklin, the only member of the American Commission then in Paris, and knowing his previous acquaintance with Shelburne, offered to become the bearer of a letter to him. Franklin foreseeing the probability of a Ministerial change in England, and of Shelburne once more returning to official life, accepted the offer and wrote to Shelburne as follows :

\* "Life of Jay," i. 153, 154 ; ii. 126, 127.

† Luzerne to the Congress, 23rd Nov. 1781. Vergennes to Luzerne, 28th Jan. 1782. "Life of Jay," i. 134.

“Lord Cholmondeley having kindly offered to take a letter from me to your Lordship, I embrace the opportunity of assuring you of the continuance of my ancient respect for your talents and virtues, and of congratulating you on the returning good disposition of your country in favour of America, which appears in the late resolutions of the Commons. I am persuaded it will have good effects. I hope it will tend to produce *a general peace*, which I am sure your Lordship with all good men desires, which I wish to see before I die, and to which I shall with infinite pleasure contribute everything in my power.” \*

The above letter arriving almost simultaneously with the formation of the Rockingham Cabinet, was shown by Shelburne to his leading colleagues, and they decided with the evidence before them of the friendly disposition of Franklin, to open an informal negotiation with him.

It was first proposed to send Mr. Hodgson a London merchant, intimately acquainted with Franklin.† Ultimately the choice of the Cabinet fell upon Mr. Richard Oswald of Auchencruive, a well-known Scotch merchant in the city of London. He had originally become known as a contractor during the Seven Years' War. Being dissatisfied with

\* Franklin to Shelburne, March 22nd, 1782.

† Rockingham to Shelburne, April, 1782

the manner in which his business was done, he went to Germany himself, and acted as Commissary General of the army of the Duke of Brunswick. In 1759 he purchased the estate of Auchencruive in Ayrshire, and marrying Miss Mary Ramsay he became through her possessed of extensive estates in America and the West Indies. Owing to his connection with those countries he had already been frequently consulted by the Government during the war. In 1777 he had visited Paris, and made acquaintance with both Vergennes and Franklin. He was known as holding very liberal views on economic and commercial questions, being a disciple of Adam Smith, to whom he owed his introduction to the new Secretary of State.\*

He left England with a letter from Shelburne to Franklin, which ran as follows:—

“I find myself returned to nearly the same situation, which you remember me to have occupied nineteen years ago, and should be very glad to talk to you, as I did then and afterwards in 1767, upon the means of promoting the happiness of mankind; a subject much more agreeable to my nature than the best concerted plans for spreading misery and devastation. I have had a high opinion of the compass of your mind and of your foresight. I have often been beholden to both, and shall be glad to be

\* Sir G. C. Lewis, “Administrations of Great Britain,” p. 81.

so again, so far as is compatible with your situation. Your letter discovering the same disposition has made me send to you Mr. Oswald.

“I have had a longer acquaintance with him, than even I have had the pleasure to have with you. I believe him an honest man, and after consulting some of our common friends, I have thought him the fittest for the purpose. He is a practical man, and conversant in those negotiations, which are most interesting to mankind. This has made me prefer him to any of our speculative friends, or to any person of higher rank. He is fully apprized of my mind, and you may give full credit to every thing he assures you of. At the same time if any other channel occurs to you, I am ready to embrace it. I wish to retain the same simplicity and good faith, which subsisted between us in transactions of less importance.”

With this letter Oswald arrived in Paris on the 12th of April, and immediately informed Franklin that the new Ministry was sincerely desirous of peace; but intimated that if France should insist upon too humiliating terms, England would continue the war, her resources not being exhausted. Franklin replied “That America was ready to treat, but only in concert with France, and that as Mr. Jay, Mr. Adams, and Mr. Laurens, were all absent from Paris,

\* Shelburne to Franklin, April 6th, 1782.

nothing of importance could be done in the affair.” At the same time he offered to introduce Oswald to Vergennes, an invitation which Oswald accepted;\* and a meeting accordingly took place between the English emissary and the French minister on the 17th of April.

Mr. Oswald not having any command over the French language, Rayneval, Secretary to the Council, acted as interpreter. The French minister told Oswald that the engagements of his royal master were such as to prevent him treating alone; the treaty must therefore be general, not partial; if the parties intended to avail themselves of the mediation recently proposed by the Northern Powers, they might treat at Vienna; otherwise at Paris: the King his master was however anxious to meet the wishes of the King of England on this subject. He also added that as the foundation of a good and durable peace should be laid in justice, he should have several demands to make of “justice” from England, whenever a treaty was entered upon. “Of this,” he said, “I give you previous notice:” at the same time he did not specify what these demands would be, and when Oswald attempted to obtain from him some general propositions to take back to England, he refused on the ground that France could do nothing without consulting all her allies, which

\* Franklin’s Private Journal for 1782.

“The party,” he said, “which had been the aggressors, and had cruelly treated the other, should show some marks of concern for what was passed, and some disposition to make reparation.” He spoke all the time from a paper, which Oswald asked if he might see. Franklin after a little delay acceded. Oswald having read it, requested leave to take it back with him to England. To this also Franklin agreed, and at the same time gave Oswald a letter for Shelburne, congratulating him on his choice of a negotiator, and stating that he desired no other channel of communication between them.\*

Hardly however had Oswald left for England with the paper in his possession before Franklin regretted his weakness in permitting it to go out of his hands. “On reflection,” he says, “I was not pleased with my having hinted a reparation to the Tories for their forfeited estates.” The paper itself, which was to have consequences but little foreseen at the moment by either Franklin or Oswald, ran as follows:—

“To make a peace durable, what may give occasion for future wars, should, if practicable, be removed.

“The Territory of the United States and that of Canada by long extended frontiers touch each other.

“The settlers on the frontiers of the American provinces are generally the most disorderly of the people, who being far removed from the eye and control of their respective governments,

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\* Franklin to Shelburne, April 18th, 1782.

are most bold in committing offences against neighbours, and are for ever occasioning complaints, and furnishing matter for fresh differences between their states.

“ By the late debates in parliament, and public writings, it appears that Britain desires a *reconciliation* with the Americans. It is a sweet word. It means much more than a mere peace, and it is heartily to be wished for. Nations make a peace whenever they are both weary of making war. But if one of them has made war upon the other unjustly, and has wantonly and unnecessarily done it great injuries, and refuses reparation; though there may for the present be peace, the resentment of those injuries will remain, and will break out again in vengeance, when occasions offer. Those occasions will be watched for by one side, feared by the other; and the peace will never be secure, nor can any cordiality exist between them.

“ Many houses and villages have been burnt in America, by the English, and their allies the Indians. I do not know that the Americans will insist on reparation. Perhaps they may. But would it not be better for England to offer it? Nothing would have a greater tendency to conciliate. And much of the future commerce and returning intercourse between the two countries may depend on the reconciliation. Would not the advantage of reconciliation by such means be greater than the expense?

“ If then a way can be proposed which may tend to efface the memory of injuries, at the same time that it takes away the occasions of fresh quarrels and mischief, will it not be worth considering, especially if it can be done not only without expense but be a means of saving?

“ Britain possesses Canada. Her chief advantage from that possession consists in the trade for peltry. Her expenses in governing and defending that settlement must be considerable. It might be humiliating to her to give it up on the demand of America. Perhaps America will not demand it. Some of her political rulers may consider the fear of such a neighbour as a means of keeping the thirteen States more united among themselves, and more attentive to military discipline. But in the mind of the people in general, would it not have an excellent

effect if Britain should voluntarily offer to give up that province; though on these conditions; that she should in all times coming have and enjoy the right of free trade thither unincumbered with any duties whatsoever, that so much of the waste lands there shall be sold as will raise a sum sufficient to pay for the houses burnt by the British troops and their Indians, and also to indemnify the Royalists for the confiscation of their estates."

*"This is mere conversation matter between Mr. O. and Mr. F. as the former is not empowered to make propositions, and the latter cannot make any without the concurrence of his colleagues." \**

Oswald, returning to England, at once communicated the result of his interview with Vergennes and Franklin, to the Cabinet. The determination of the two representatives of France and America to stand by one another was evident, and they accordingly resolved, that the moment was come when it was necessary, in order to avoid yet greater difficulties, to contemplate the probability of having to acknowledge the independence of America. It was hoped however that by making the concession of this important point to France, and thereby flattering her vanity, they might be able to obtain more favourable terms from that power, than they might otherwise be able to obtain, and they accordingly determined to act in that direction. Shelburne however did not expect that much would result from this manner of proceeding, or that France would be satisfied

\* Lansdowne House MSS.

with the concession of American independence alone.

The paper of notes was communicated by Oswald to Shelburne, and was at his desire left with him for one night. Nobody else except Lord Ashburton was allowed to see it. At the time that Oswald accepted the paper from the hands of Franklin, he did not possess the formal character of a negotiator, nor had he any official commission. Franklin gave him the paper of notes "not as a proposition during a negotiation, but as a suggestion, or matter for consideration; the paper was treated as confidential, and Franklin evidently did not intend that it should go further than Shelburne himself."\* There was nothing either in the contents of the paper or in the manner in which it came into his hands, which rendered it incumbent on Shelburne to communicate it to his colleagues, and he thought best not to send any formal answer to it.†

On the 23rd of April the Cabinet agreed to the following minute: "It is humbly submitted to His Majesty that Mr. Oswald shall return to Paris with authority to name Paris as the place, and to settle with Dr. Franklin the most convenient time for setting on foot a negotiation for a general peace, and

\* See the observations of Sir G. C. Lewis. "Administrations of Gt. Britain," i. 45.

† Franklin's Private Journal, April, 1782. Grenville to Fox, June 16th, 1782.

to represent to him that the principal points in contemplation are, the allowance of independence to America upon Great Britain's being restored to the situation she was placed in by the treaty of 1763, and that Mr. Fox shall submit to the consideration of the King a proper person to make a similar communication to M. de Vergennes." \*

The person selected by Mr. Fox in conformity with the above resolution was Mr. Thomas Grenville, brother of Lord Temple and son of Mr. George Grenville.

Fox suspected Shelburne of wishing to keep the negotiations not only with America but with France also in his own hands. In this however he was mistaken.† The King had indeed suggested to Shelburne that Oswald "might be a useful check on that part of the negotiation which was in other hands."‡ To this suggestion however Shelburne paid no attention, and he carefully concealed it from Oswald. Nobody could in

\* "Memorials of Fox," i. 345

† The evidence on this point is as follows:—On the 28th of April Fox writes to Mr. Fitzpatrick, "Upon the pretence of the business having begun with the American ministers, Shelburne had a great mind if I had consented to have kept even this negotiation in his own hands." On the same day however Shelburne writes to Franklin, "It is also determined that Mr. Fox, *from whose department that communication is necessarily to proceed,* shall send a proper person."

‡ The King to Shelburne, April 27th, 1782.

any case have been more unfit both by character and habits for engaging in a diplomatic intrigue than Oswald, whose simplicity of mind and straightforwardness of character struck all who knew him, nor had Shelburne himself any wish to intrigue against Fox, as appears from the following episode.

Mr. Thomas Walpole was at this time in Paris, having been sent thither by Fox to negotiate with the French Government, on behalf of the inhabitants of St. Eustatia, for a compensation for the merchandise taken from them by Admiral Rodney on the capture of that island. He seems to have considered himself Commissioner designate to the French Government, and thought himself aggrieved by the mission of Oswald, as he subsequently did by that of Grenville, and accused Shelburne of intriguing against him. Being informed of his feelings, Shelburne at once sent explanations on the subject to Oswald. "It has reached me," he writes, "that Mr. Walpole esteems himself much injured by your going to Paris, and that he conceives it was a measure of mine intended to take the present negotiation with the court of France out of his hands, which he conceives to have been previously commenced through his channel by Mr. Fox. I must desire that you will have the goodness to call upon Mr. Walpole, and explain to him distinctly, how very little foundation there is for so unjust a suspicion, as

I know of no such intercourse. Mr. Fox declares, he considered what had passed between him and Mr. Walpole of a mere private nature, not sufficiently material to mention to the King or the Cabinet, and will write to Mr. Walpole to explain this distinctly to him. But if you find the least suspicion of this kind has reached Dr. Franklin, or M. le Comte de Vergennes, I desire this matter may be clearly explained to both. I have too much friendship for Dr. Franklin and too much respect for the character of M. le Comte de Vergennes, with which I am perfectly acquainted, to be so indifferent to the good opinion of either, as to suffer them to believe me capable of an intrigue, where I have both professed and observed a direct opposite conduct. In truth I hold it in such perfect contempt, that however proud I may be to serve the King in my present station or in any other, and however anxious I may be to serve my country, I should not hesitate a moment about retiring from any situation which required such services. But I must do the King the justice to say, that his Majesty abhors them, and I need not tell you, that it is my fixed principle that no country in any moment can be advantaged by them." \*

Before leaving England Oswald was instructed to show a copy of the Cabinet minutes of April the 23rd to Franklin, but to leave no copy with him;

\* Shelburne to Oswald, May 21st, 1782.

he was further to insist in the strongest manner, that if America was to be independent, she must be so of the whole world, and not attempt any connection, secret, tacit, or ostensible with France, and to declare that if the negotiation broke off, all the rights of England to America were to stand as before. He was also to tell Franklin that the statement contained in the private paper, that he did not know whether the Americans intended to make claims of indemnification, was not an open course of proceeding, the American commissioners being already invested with full powers; and in any case that no such reparation could be thought of.

He was also further told to recollect that a great blow might shortly be expected to be struck in the West Indies, whither Admiral Rodney had sailed with a fleet of forty ships; that the reinforcements to De Grasse would probably be intercepted, and that a naval victory might settle a great deal. It does not appear that Shelburne shared in the violent dislike for Rodney, which distinguished his colleagues, and led about this time to his recall. Rodney had caused great alarm to the planters' commercial interest by the wholesale confiscation of property which had accompanied the capture of St. Eustatia, and the Whig Opposition had joined in the clamour raised against him as a cloak to their dislike to his appointment, which was rightly attributed to

the favour of the King. Oswald was also directed to "tell Franklin candidly and confidentially Lord Shelburne's situation with the King; that he was sent for to form the Ministry; that he would make no use of his situation, but to keep his word with mankind; that he was under as little apprehension of being deceived himself, as unwilling to deceive others; in short that he knew the bottom to be sound," and lastly he was told not to conceal from Franklin that Shelburne had reluctantly come into the idea of the complete independence of America; that he had wished for a federal union between the two countries; but that having been forced by circumstances to abandon his plan he would loyally try to carry through the other.\*

The paper of instructions to Oswald in which the above points were set out, concluded thus :—

"It is reasonable to expect a free trade, unencumbered with duties, to every part of America.

"Make early and strict conditions, not only to secure all debts whatever due to British subjects, but likewise to restore the Loyalists to a full enjoyment of their rights and privileges. And their indemnification to be considered. Lord Shelburne will never give up the Loyalists. The Penn family have been sadly used, and Lord Shelburne is personally interested for them, and thinks it his duty to be so for all.

"The private paper desires Canada for three reasons :—

"1st. *By way of reparation*.—Answer. No reparation can be heard of.

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\* Lansdowne House MSS.

"2nd. *To prevent future wars.*—Answer. It is to be hoped that some more friendly method will be found.

"3rd. *Loyalists, as a fund of indemnification to them.*—Answer. No independence to be acknowledged without their being taken care of. A compensation expected for New York, Charlestown, and Savannah. Penobscot to be always kept."\*

Such were the instructions with which Oswald left England. He was also the bearer of a letter from Shelburne to Franklin which ran as follows:—

"I have received much satisfaction in being assured by you, that the qualifications of wisdom and integrity, which induced me to make choice of Mr. Oswald, as the fittest instrument for the renewal of our friendly intercourse, have also recommended him so effectually to your approbation and esteem. I most heartily wish that the influence of this first communication of our mutual sentiments, may be extended to a happy conclusion of all our public differences.

"The candour with which M. le Comte de Vergennes expresses his most Christian Majesty's sentiments and wishes on the subject of a speedy pacification, is a pleasing omen of its accomplishment. His Majesty is not less decided in the same sentiments and wishes, and it confirms his Majesty's Ministers in their intention to act in like manner, as most consonant to the true dignity of a great nation.

"In consequence of these reciprocal advantages,

\* Lansdowne House MSS.

Mr. Oswald is sent back to Paris, for the purpose of arranging and settling with you the preliminaries of time and place: and, I have the pleasure to tell you, that Mr. Laurens is already discharged from those engagements which he entered into, when he was admitted to bail.

“It is also determined that Mr. Fox, from whose department that communication is necessarily to proceed, shall send a proper person, who may confer and settle immediately with M. de Vergennes the further measures and proceedings which may be judged proper to adopt, towards advancing the prosecution of this important business. In the meantime Mr. Oswald is instructed to communicate to you my thoughts upon the principal objects to be settled.

“Transports are actually preparing for the purpose of conveying your prisoners to America, to be there exchanged, and we trust, that you will learn that due attention has not been wanting to their accommodation and good treatment.”\*

After reading the above letter Franklin informed Oswald of the passage in which he was referred to him for the sentiments of Shelburne. In reply Oswald once more acquainted Franklin of the unanimous disposition of the Ministry to peace, and added

\* Shelburne to Franklin, April 28th, 1782. Mr. Laurens was exchanged for Lord Cornwallis.

that a good deal of confidence was reposed in the character enjoyed by Franklin for open dealing, and that it was believed in England that he still retained some affection and regard for the mother country, which it was hoped might appear on this occasion. He then, after detailing the views of Shelburne in conformity with his instructions, proceeded to mention the paper of notes, and informed Franklin of what had recently passed on that subject. At the same time while returning the paper he expressed his own personal conviction that it had nevertheless made an impression, and that if the matter were not given an undue prominence during the early stages of the negotiation, a settlement satisfactory to America might still be ultimately arrived at, in regard to the cession of Canada and Nova Scotia.

In conclusion he acquainted Franklin that as the new business to be now brought forward, related to a general peace, it was consequently in the department of Fox, and he was accordingly directed to announce another agent "to regulate the circumstances" and that this agent was not himself, but Mr. Thomas Grenville. The same information was also communicated to Vergennes. Several conversations followed on the 6th of May and the following days, between Oswald, Franklin, and the French minister, but nothing of importance passed; indeed Oswald was so reticent that Franklin wondered

at his having been sent back to Paris, especially as Mr. Grenville was so soon to follow.\*

On the 8th of May the latter arrived, and the following day at a meeting with Franklin and Vergennes, intimated that if England granted independence to America, she would expect France to restore the conquered English islands, with the exception of Miquelon and St. Pierre on the coast of Newfoundland. As the original object of the war was the independence of America, it was supposed in England, he said, that France would be contented with the concession of it. To this Vergennes demurred. "As to our being satisfied," he said, "with the original object of the war, look back to the conduct of your nation in former wars. In the last war, for example, what was the object? It was the disputed right to some waste lands on the Ohio, and the frontier of Nova Scotia; did you content yourselves with the recovery of those lands? No, you retained at the peace all Canada, all Louisiana, all Florida, Grenada, and other West India Islands, and the greater part of the Northern fisheries; with all your conquests in Africa and the East Indies."

The French minister then reiterated his intentions of only negotiating conjointly with America, and altogether declined to look upon the independence of the latter country as a cession or favour to France, or

\* Diary of Franklin, May 1782.

as in any manner to be considered as the valuable consideration given by England for a favourable treaty to France; on that subject England must negotiate with America directly. He concluded by saying that his Royal Master looked chiefly to justice and his own dignity, and by these he would stand unalterably. Grenville left the meeting much dejected, and at once communicated the result to Fox.\*

On the 14th of May Oswald returned to England. The suddenness of his departure surprised Franklin who wished him to remain, as he thought his presence likely to be useful. "I hoped," he writes to Shelburne, "that Mr. Oswald would have remained here some time, but his affairs, it seems, recal him sooner than he imagined. I hope he will return again, as I esteem him more, the more I am acquainted with him, and believe his moderation, prudent counsels, and sound judgment, may contribute much, not only to the speedy conclusion of a peace, but to the framing such a peace as may be firm and longlasting."† The King had a similar wish. "Mr. Oswald's correspondence," he wrote to Shelburne, "carries the marks of coming from a man of sense. As Dr. Franklin wishes he should remain at Paris and as M. de Vergennes has inti-

\* Diary of Franklin, 1782. Grenville to Fox, 10th of May, 1782.

† Franklin to Shelburne, Paris, May 13th, 1782.

mated as much, I should think it best not to let him at least at present come home." \*

On the 18th of May the Cabinet had agreed to the following minute :— "It is humbly submitted to your Majesty that your Majesty will be pleased to direct Mr. Fox to order full powers to be given to Mr. Grenville to treat and conclude at Paris, and also to direct Mr. Fox to instruct Mr. Grenville to make propositions of peace to the belligerent powers, upon the basis of independence to the Thirteen colonies in North America, and of the Treaty of Paris ; and in case of such proposition not being accepted, to call upon M. de Vergennes to make some proposition on his part, which Mr. Grenville will of course report to Mr. Fox." † The same evening the news arrived of the great naval victory which Rodney had gained on the 12th of April and of the capture of De Grasse himself. The universal joy in England was only tempered by the indignation felt against the politicians who had wished to replace him. The Ministry were now more than ever inclined to persevere in their policy of separating France from America, and while conceding independence to the latter, to refuse to yield to the arrogant pretensions of the Power whose navy they had just destroyed. On the 23rd of May accordingly the Cabinet agreed to take

\* The King to Shelburne, May 14th, 1782.

† "Memorials of Fox," i. 351.

Vergennes at his word and to instruct Grenville, in negotiating with France, to propose the acknowledgment by England of the independence of America "in the first instance," \* *i.e.* that England should negotiate with America directly, instead of through France, as first proposed. "Independence was to be the dreadful price offered to America" for peace, said the King; † and he was only brought to accede to the plan of the Cabinet by the persuasions of Shelburne, who explained that the object of it was either to obtain a general peace thereby, or else to separate the Americans from their allies.‡

"On Mr. Oswald's return," says the Duke of Grafton, "it was Mr. Fox's wish to have placed the whole negotiation with any of the powers at war into the hands of Mr. Grenville; but the Cabinet decided that, as the Doctor desired Mr. Oswald's return, to whom he had spoken with openness and freedom, it would be impolitic not to comply with a request of this nature. Besides it was not yet fully known in what light our offers to treat might be received by the French Ministry. The line of our proposals was independence for America, and the restitution of matters to the state in which they

\* "Memorials of Fox," i. 357.

† The King to Shelburne, May 25th, 1782.

‡ Autobiography of Grafton. "Parliamentary History," 9th July, 1782. Conway's Speech.

stood on the Treaty of Paris; and these were to be considered as the basis of the negotiation.” \*

Oswald however could not as yet receive the formal character of a negotiator, as the Enabling Bill which removed the penalties imposed by previous statutes on persons communicating with the revolted colonists, had not yet passed into law. It was the intention of Fox, though as yet unknown to his colleagues, whenever the question of the appointment of an Envoy came before the Cabinet, to claim that the minute of the 23rd of May recognized the independence of the United States, and *ipso facto* transferred the negotiation from the Colonial to the Foreign Department, *i.e.* from the department of Shelburne to his own.† Such however was not the view of Shelburne. To the minute of the 23rd of May, he did not attach the same meaning as Fox; and he intended that whoever might ultimately be the negotiator with America, were it Grenville, Oswald, or any one else, should act in direct communication with him. Meanwhile, suspecting that the intention of Fox was to quarrel, he wrote to him as follows:—“ I am just now writing to Mr. Oswald, and instruct him of course to remain at Paris as Dr. Franklin desires, till he has orders to return. I likewise desire him to communicate freely to Mr.

\* Autobiography of Grafton.

† “ Memorials of Fox,” i. 439.

Grenville whatever may be of use to him, taking it for granted that you will instruct Mr. Grenville to apprise him of the power sent him, and of such other matters as may be useful in governing his intercourse with Dr. Franklin and the other American Commissioners, that it may not be supposed in France that there is or can be any difference among us upon the great subjects of Peace and War.” \*

To Oswald himself he at the same time wrote as follows :—“Mr. Grenville will, I make no doubt, acquaint you of the powers sent him by the present messenger, together with all such other matters as may be necessary to govern your intercourse with Doctor Franklin, and with the other American Commissioners, which you will continue to cultivate by all fair and honourable means, avoiding to give jealousy to the Court of France. It is His Majesty’s pleasure, that you should furnish Mr. Grenville any lights which may occur to you in the course of your communication with any of these gentlemen, which may be useful to him, in his transactions with the French Ministers, or those of any of the other Powers of Europe who may be about to enter into the proposed negotiation, and I must recommend to you to omit no opportunity of letting it be under-

\* Shelburne to Fox, 25th May, 1782.

stood that there subsists the strictest union in His Majesty's Council upon the great subject of peace and war.

“I am sorry to observe that the French Minister gives very little reason to expect that his Court is likely to make good their professions, which they made thro' so many channels, of a desire of peace upon terms becoming this country to accept; upon the strength of which Doctor Franklin invited the negotiation. I have that entire confidence in Doctor Franklin's integrity and strict honour, that if the Court of France have other views, and that they have been throwing out false lures to support the appearance of moderation throughout Europe, and in the hope of misleading, and the chance of dividing us, I am satisfied he must have been himself deceived; and in such a case, I trust that if this shall be proved in the course of the present negotiation, he will consider himself and his constituents freed from the ties which will appear to have been founded upon no ideas of common interest. We shall however, I hope, speedily ascertain the real purposes of France by their conduct in the future progress of this negotiation, which the King will will not suffer to go into any length. In the meantime you will govern your conversation with the American commissioners with all possible prudence, collecting their sentiments, and every other infor-

mation which you conceive may hereafter prove useful, and I have His Majesty's commands to acquaint you, that it is his pleasure you should continue at Paris, till you receive his orders to return, of which you will acquaint Dr. Franklin and Mons<sup>r</sup>. Le Comte de Vergennes."\*

He wrote also to General Carleton and Admiral Digby, the heads of the army and the fleet in America, as follows:—

"His Majesty has been induced to give a striking proof of his royal magnanimity and disinterested wish for the restoration of peace, by commanding His Majesty's Ministers to direct Mr. Grenville, 'that the independence of America should be proposed by him in the first instance, instead of making it the condition of a general peace.'

"I have given a confidential information to you of these particulars, that you may take such measures as shall appear to you most advisable for making a direct communication of the substance of the same, either immediately to Congress, or through the medium of General Washington, or in any other manner which you may think most likely to impress the well-disposed parts of America with the fairness and liberality of His Majesty's proceedings in such great and spontaneous concessions.

"The advantages which we may expect from

\* Shelburne to Oswald, May 25th, 1782.

such concessions are, that America, once apprized of the King's disposition to acknowledge the independence of the Thirteen States, and of the disinclination in the French Court to terminate the war, must see that it is from this moment to be carried on with a view of negotiating points, in which she can have no concern, whether they regard France, or Spain and Holland at the desire of France; but some of which, on the contrary, may be in future manifestly injurious to the interests of America herself; that if the negotiation is broken off, it will undoubtedly be for the sake of those Powers, and not America, whose object is accomplished the instant she accepts of an independence, which is not merely held out to her in the way of negotiation by the executive power, but a distinct unconditional offer, arising out of the resolutions of Parliament, and therefore warranted by the sense of the nation at large.

“These facts being made notorious, it is scarce conceivable that America, composed as she is, will continue to make efforts under French direction, and protract the distresses and calamities which it is well known that war has subjected her to. It is to be presumed, that from that moment she will look with jealousy on the French troops in that country, who may from allies become dangerous enemies.

“If however, any particular States, men, or description of men, should continue against the

general inclination of the continent, devoted to France, this communication will surely detect their views, expose their motives, and deprive them of their influence in all matters of general concern and exertion. You will, however, take particular care in your manner of conducting yourselves, not only that there should not be the smallest room for suspicions of our good faith and sincerity, but that we have no view in it of causing dissensions among the colonies, or even of separating America from France upon terms inconsistent with her own honour. You must therefore convince them, that the great object of this country is, not merely peace, but reconciliation with America on the noblest terms and by the noblest means."

Before leaving England Oswald had a final interview with Shelburne and Ashburton, at which the exact meaning of the Cabinet minute of the 23rd of May was explained to him, viz., that independence was to be the price of peace.† At the close of the interview Shelburne gave Oswald the following paper of notes, as a guide to him in his conversations with Franklin:—

1. "I am ready to correspond more particularly with Dr. Franklin if wished.

2. "The *Enabling Act* is passing with the insertion of com-

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\* "Life of Jay," ii. 459.

† The King to Shelburne, May 25th, 1782.

missioners recommended by Mr. Oswald, and on our part commissioners will be named, or any character given to Mr. Oswald, which Dr. Franklin and he may judge conducive to a final settlement of things between Great Britain and America, which Dr. Franklin very properly says requires to be treated in a very different manner from the peace between Great Britain and France, who have been always at enmity with each other.

3. "An establishment for the Loyalists must always be upon Mr. Oswald's mind, as it is uppermost in Lord Shelburne's, besides other steps in their favour, to influence the several States to agree to a fair restoration or compensation for whatever confiscations have taken place."\*

With these instructions Oswald left England in the last days of May. He was also the bearer of letters from Fox,† who had already sent Grenville instructions relating not only to France and her European partners in the war, but to America as well.‡ Following the directions of his chief Grenville now claimed the right of negotiating with the American Commissioners. The omission of Spain from his full power he attributed to the fact of his not having been as yet able to extract anything as to the views of d'Aranda the Spanish Ambassador at Paris, which he would communicate to the English Government. D'Aranda in fact had refused to speak on the subject of peace, till he had received powers from his Government, which had not arrived, for Spain was waiting for the result of the final assault on Gibraltar.

\* Lansdowne House MSS.

† Oswald's Diary, 31st May, 1782.

‡ Grenville to Fox, June 16th, 1782.

Nor as yet had Grenville been able to extract anything out of M. Berkenrode, the Dutch minister, as to the views of the States-General. It consequently seemed natural to him that no mention should as yet be made of Holland. The omission of America he attributed in a conversation with Franklin to his power having been carelessly copied from that given to Mr. Stanley, when the latter went over to negotiate with France before the peace of 1763. Vergennes however was not so easily satisfied. He believed that the effect of the great naval victory of Rodney over De Grasse, had been to create an indisposition in England to peace with France, and that England was attempting to separate France from America. He also knew that the national spirit in France had not been awed by the great disaster in the West Indies, and that the most strenuous efforts were being made, with every prospect of success, to replace the fleet which had been lost. He now told Grenville his suspicions in very plain terms, and repeated that the interests of France and America were indissoluble; that the treaties must go hand in hand; and be all signed the same day. In this declaration he was supported by Franklin, who furnished Grenville with a copy of the treaty between the two countries in order that he might see the contents of it.\* Grenville at once sent a courier

\* Diary of Franklin, May 1782.

to London, asking for an extension of his powers, sufficient to enable him to negotiate with all the Powers at war, and on the 1st of June informed Franklin confidentially, of the resolution arrived at by the Cabinet on the 23rd of May, hoping thereby to shake the union between France and America. His announcement however seemed to produce no effect, and Franklin he observed was very reserved to him in manner.

Franklin had not unnaturally been led by Grenville to suppose that sooner or later he would be the sole negotiator. The first thing necessary, he said in their interview on the 1st of June, was that Grenville should procure full powers; the next that they should assemble the plenipotentiaries of all the powers at war, and proceed to business.\* On the 31st of May, however, Oswald arrived in Paris. He at once delivered the letters of which he was the bearer to Grenville and to Franklin. With the latter he was unable to obtain an immediate interview for the purposes of business, and it was not till the 3rd of June that they met. Oswald then informed Franklin that during his stay in England he had had conversations both with the Prime Minister and the two Secretaries of State; that their desire of peace remained unabated, although he considered that in some respects they were too

\* Diary of Franklin, May 1782.

much elated by Lord Rodney's victory, which he had advised them not to rate too high. He then proceeded to confess to Franklin with the utmost frankness, that peace was absolutely necessary to England ; at the same time, he repeated the observation which he had made during his previous visit to Paris, that if the Allies made exorbitant demands, the war would become a struggle for life and death on the part of England, and that even the payments of the interest on the National Debt might be stopped in order to furnish means for the defence of the country. He concluded by saying : " Our enemies may now do what they please with us ; they have the ball at their feet, and we hope they will show their moderation and their magnanimity." He then mentioned more than once that the English Ministers, more especially Shelburne, reckoned in no small degree on the good sense of Franklin to extricate their country from the terrible position in which it was placed.\*

Franklin in reply alluded to the omission of the colonies from Grenville's commission. Oswald told him the deficiency would no doubt be supplied in due time, since in the meanwhile they had been assured that " His Majesty had agreed to grant independence in the first instance." The Doctor said he was glad of it, and supposed that more

\* Diary of Franklin, June 1782.

could not be done, until the Act depending in Parliament was passed.\* Oswald then explained that the words in his paper of instructions, "insertion of commissioners recommended by Mr. Oswald," related to his having advised an express mention in the Bill of the Commissioners appointed by Congress.

Franklin next observed that the estates of the Loyalists had been confiscated by laws of particular states and not by Congress; Congress therefore had no power whatever to interfere in the matter; that if anybody was to compensate them for their losses, it was the business of England and not of America, that in any case, America possessed counter claims against them for their ravages, which would more than balance their estimated losses.

Oswald told Franklin that personally he agreed with him, and he also mentioned that he not only had not concealed his opinion when in England; but had also urged the cession of Canada during an interview with Rockingham, Shelburne, and Fox. The two former, he said, spoke reservedly on the point; but in his opinion did not seem very averse to it. Fox, however, seemed startled at the proposition.

They then proceeded to the article of the note containing the following words: "On our part com-

\* Oswald to Shelburne, 9th June, 1782.

missioners will be named, or any character given to Mr. Oswald which Dr. Franklin and he may judge conducive to a final settlement of things between Great Britain and America." Oswald explained that he had no personal wishes of his own either of honour or profit; he thought Mr. Grenville perfectly capable of carrying on the affair, but that he was himself willing, if Franklin thought that he could be of use in the matter, to serve in any character or manner which might be deemed advisable.

"Dr. Franklin," says Oswald, in his account of the interview, "then said he thought the best way to come at a general peace, was to treat separately with each party, and under distinct commissions to one and the same, or different persons. By this method many difficulties, which must arise in discussing a variety of subjects, not strictly relative to each other, under the same commission, and to which all the several parties are called, would be in a great measure avoided. And then at last there would only remain to consolidate those several settlements into one genuine and conclusive treaty of pacification, which upon enquiry I found he understood to be the indispensable mode of a final accommodation. He explained as to the commissions, that there might be one to treat with France, one for the Colonies, one for Spain, and he added, one for Holland, if it should

be thought proper.”\* Franklin then went on to say that the great knowledge of America already possessed by Oswald, rendered him peculiarly fit to be the negotiator on behalf of England with America. Oswald replied that the idea so far met his own views, as owing to his ignorance of the French language, he had no wish to meddle with the rest of the negotiations.†

The conversation having closed, Oswald at once communicated the results of it to Shelburne, who resolved to recommend the appointment of separate negotiators, and the appointment of Oswald, as soon as the Enabling Bill was passed into law.‡

On the 4th of June Grenville and Oswald had an interview, when the latter in conformity with his instructions, conveyed the same information to his brother negotiator, which he had imparted to Franklin the previous day, and the nature of Franklin's replies.§ He also told him what had previously passed on the subject of Canada, including the existence of Franklin's Paper of Notes, which he considered it desirable should be known to Grenville. The latter now

\* Oswald to Shelburne, June 9th, 1782.

† Diary of Franklin, June 1782. Diary of Oswald, June 3rd, 1782.

‡ Oswald to Shelburne, June 9th, 1782. Shelburne to Oswald, July 10th. The Enabling Act, 22 George III. c. 46.

§ Grenville to Fox, June 4th, 1782. Oswald to Shelburne, June 9th, 1782.

rushed at the conclusion that Oswald had communicated his projected appointment as Commissioner in the interview with Franklin on the 31st of May, and that this was the cause of the reserve with which Franklin had treated him on the 1st of June. It has however already been shown, that it was not till the 3rd of June, two days after and not the day before the interview of Grenville with Franklin, that the projected appointment of Oswald as Commissioner was communicated to Franklin. Acting under this misapprehension, and knowing that Fox claimed the right of negotiating with America, Grenville wrote a confidential letter to his principal, stating that on the part of Shelburne there existed an evident intention of encroaching upon Fox's province. His letter concluded by requesting that he might himself be recalled, and some Whig peer of sufficient eminence to render the association with him of Oswald impossible, might be appointed in his place.\* Fox, at the moment that this communication reached him, was already in a humour but too inclined to take offence. Since the first formation of the Cabinet, he had expected to rule supreme over it. "His advice however prevailed less often than might have been expected from talents so superior," and as it appears that it was the opinion of Shelburne which was preferred to his, he never ceased complaining of what he

Grenville to Fox, June 4th, 1782.

called "the aggressions" of the latter. Shelburne on the other hand complained bitterly of "the hasty mode of proceeding" of Fox, who, as he freely told both Grafton and Camden, had the intention of forcing on a rupture.\* "I do not choose," the King said, "to harbour ungrounded suspicions, but it has the appearance as if the many grievances broached were meant to offend Lord Shelburne, and perhaps have thrown him off his guard; but I know he is too well aware of their arts to be ever surprised by them."†

Every Cabinet made the differences between the two Secretaries of State more marked. Their colleagues vainly endeavoured, by protests and advice impartially tendered to both, to stave off the final separation, which they began to see was inevitable. Such was the condition of the Ministry when the letter of Grenville arrived. Fox immediately replied by asking for further proofs of the "duplicity of conduct" of Shelburne. "I have taken upon me," he writes, "to show your letter to Lord Rockingham, and Lord John Cavendish, who are all as full of indignation at its contents as one might reasonably expect honest men to be. We are now perfectly resolved to come to an explanation upon the business, if it is possible so to do without betraying any confidence

\* Autobiography of Grafton.

† The King to Shelburne, June 1st, 1782.

reposed in me by you, or in you by others. The two principal points which occur are the paper relative to Canada, of which I had never heard till I received your letter, and the intended investment of Mr. Oswald with full powers, which was certainly meant for the purpose of diverting Franklin's confidence from you into another channel. With these two points we wish to charge Lord Shelburne directly; but pressing as the thing is, and interesting as it is both to our situations and to the affairs of the public, which I fear are irretrievably injured by this intrigue, and which must be ruined if it is suffered to go on, we are resolved not to stir a step till we hear again from you, and know precisely how far we are at liberty to make use of what you have discovered. If this matter should produce a rupture, and consequently become more or less the subject of public discussion, I am sensible the Canada paper cannot be mentioned by name; but might it not be said that we had discovered that Shelburne had withheld from our knowledge matters of importance to the negotiation? And, with respect to the other point, might it not be said, without betraying anybody, that while the King had one avowed and authorized minister at Paris, measures were taken for lessening his credit, and for obstructing his inquiries, by announcing a new intended commission, of which the Cabinet here had never been apprised? Do, pray, my dear

Grenville, consider the incredible importance of this business in every view, and write me word precisely how far you can authorise us to make use of your intelligence. It is more than possible, that before this reaches you, many other circumstances may have occurred which may afford further proofs of this duplicity of conduct, and if they have, I am sure they will not have escaped your observation. If this should be the case, you will see the necessity of acquainting me with them as soon as possible. You see what is our object, and you can easily judge what sort of evidence will be most useful to us. When the object is attained, that is, when the duplicity is proved, to what consequences we ought to drive, whether to an absolute rupture, or merely to the recal of Oswald and the simplification of this negotiation, is a point that may be afterwards considered. I own I incline to the more decisive measure, and so, I think, do those with whom I must act in concert.”\*

Two points are definitely raised in the above letter: the Canadian paper, and Shelburne’s intention to appoint Oswald to be Commissioner to treat with America. The first of these has already been discussed. As regards the second, it is to be observed in the first place that the informal negotiations with America had hitherto been carried on by Oswald, just in the same way as those with

\* Fox to Grenville, June 10th, 1782.

France had been carried on by Grenville ; and just as the latter had ended in the formal appointment of Grenville as plenipotentiary, nothing was more natural than for the former to lead up to the appointment of Oswald. "I apprehended," Grenville wrote in reply to Fox, "that Lord Shelburne might have already expressed such an intention to the rest of the King's Ministers, upon the ground of the American share of this business, which ground, in the present stage of it, I thought possibly you had not found it easy to object to. In this idea you will find that I have written, and in this idea it was that Lord Fitzwilliam's appointment occurred to me, not to prevent a *clandestine* negotiation, but to unite a *separated* one." \*

The position of Shelburne as Secretary of State clearly entitled him to negotiate with America. This was perfectly understood by Vergennes. "Mr. Oswald," he says, "was the envoy of Lord Shelburne. He has no commission for me, because that Secretary of State had America and Ireland in his department, while Mr. Fox is charged with the affairs of Europe." † The presence of Oswald in Paris was perfectly well known to the French Court, to the English Cabinet, to Fox himself, and to Franklin.

On the 3rd of June previous to the reply of

\* Grenville to Fox, June 16th, 1782.

† Flassan, vii. 333.

Franklin the appointment of Oswald was a mere intention; whether it was ever to become more depended solely on the wishes of Franklin, of which Shelburne was as yet uninformed. There is no reason to suppose that if Franklin had objected to the appointment of separate Commissioners, the whole negotiation would not have been entrusted to Grenville, who however according to the view of Shelburne would have had to correspond with both Secretaries of State, according to that of Fox, with the Foreign Office alone.

The Memoirs of the Duke of Grafton which at this period are written in a spirit far from favourable to Shelburne, contain no allusion whatever to any duplicity of conduct on his part in regard to the appointment of Oswald as Commissioner with formal full powers to treat. But it was of this appointment that Fox, founding his case on the Minute of the 23rd of May, complained. To this does the whole question when closely examined narrow itself down.

On the 15th of June, Grenville received an amended copy of his full powers. The instrument was in the same terms as its predecessor, except that after the power to treat with the King of France or his ministers, the words "and any other Prince or State" were added. Armed with this instrument, Grenville formally declared to Ver-

gennes, that he was authorized to acknowledge the independence of America in the first instance, and to offer to France the treaty of 1763, as the basis for negotiation. Vergennes recognising at once the object of the English Government, and understanding the position in which he was placed, coldly replied that he would send a written answer to Fox.

Grenville next visited Franklin, and under his amended powers claimed the right of negotiating with America. To this Franklin distinctly demurred. He asked Grenville if the Enabling Act was passed. Grenville replied in the negative. Franklin thereupon said "that though the Americans considered themselves as a distinct independent Power or State, yet as the British Government had always hitherto affected to consider them only as rebellious subjects, and as the Enabling Act was not yet passed, he did not think it could be fairly supposed, that the English Court intended by the general words "*any other Prince or State*" to include a people whom they did not allow to be a State; and that therefore he doubted the sufficiency of Grenville's power as to treating with America, though it might be good as to Spain and Holland.

Grenville himself was doubtful. "I have already," he writes to Fox, "felt myself under some embarrassment respecting Mr. Franklin, not seeing precisely

<sup>1</sup> Diary of Franklin, June 1782.

how far the expression of "Princes and States" in the full power can apply to America, till the independence is acknowledged, and knowing that he finds and expresses much doubt about it himself, and some disposition to ask a more explicit description."\*

Meanwhile an explanation was being come to in England. It was decided that the negotiations with America were in the department of Shelburne, those with the other belligerents in that of Fox. "It is well," the King writes, "that the omission of Mr. Grenville in the American commission will create no more words; certainly it is every way highly proper he should not be mixed in that business. . . . Lord Shelburne will certainly act very properly in directing Mr. Oswald not to hazard opinions on parts of the peace, as to which he cannot have had any ministerial information, but being employed he may be supposed not to speak without foundation."†

Shelburne accordingly wrote to Oswald that he was to be careful not to give any cause of offence to Grenville. "I thank your Lordship," Mr. Oswald replied, "for the caution with respect to affairs under Mr. Grenville's direction. It would have been quite wrong in me to meddle with it in any shape, and so cautious was I, that I scarce asked him any question as to the progress of his affairs, thinking it sufficient if by an intercourse with Dr. Franklin,

\* Grenville to Fox, June 21st, 1782.

† The King to Shelburne, June 17th, June 22nd, 1782.

little particularised that it was evident that delay was intended by the Court of France and that the variations were purposely undefined. Such, as Grafton relates,\* was the opinion of the Cabinet, which at once resolved to continue to show a bold front towards France, and to persevere in the attempt of separating America from France by the offer of independence, and of using the grant of independence as the valuable consideration for favourable terms from the States.† They also resolved to make another attempt at conciliating the court of St. Petersburg, and Fox was instructed to acquaint M. Simolin that England without “formerly admitting” the Armed Neutrality, was willing to make the principles of her Imperial Majesty’s declaration of the 28th of February, 1780, the basis of a treaty between the two countries, on condition that Russia obtained the neutrality of Holland.‡

The question of the American negotiation was next brought forward. The Enabling Act was now passed, and Shelburne at once proposed to his colleagues to appoint Oswald as separate Commissioner. This proposition was immediately opposed by Fox, who claimed the right of conducting the negotiation himself. “We adopted Dr. Franklin’s idea,” writes Shelburne

\* Autobiography of Grafton.

† Autobiography of Grafton.

‡ “Memorials of Fox,” i. 331. Autobiography of the Duke of Grafton.

to Oswald, "of the best method to come at a general pacification, by treating separately with each party," and the powers for Oswald as Commissioner were at once prepared.\* Fox however demanded the recal of Oswald, saying that his presence in Paris prejudiced everything, and on the 30th June he moved "that the independence of America should be granted even without a treaty for a peace." His object was evident. Were the independence of America to be formally recognized either by Act of Parliament, or by a proclamation under the Great Seal—assuming either of these courses to have been constitutionally possible—America would at once have passed from the department of Shelburne into his own.† The Cabinet again decided against him. "The majority was for a treaty accompanying the surrender of the claim; but that it was also advisable that independence should in the first instance be allowed as the basis to treat on. This decision not coming up to Mr. Fox's ideas he declared, that his part was taken to quit his office."‡

While these events were passing Lord Rockingham who for some time past had been in failing health, was dying. The most sedulous attempts had

\* Shelburne to Oswald, July 10th, 27th, 1782.

† Lansdowne House MSS. Cabinet Ministers. "Memorials of Fox," i. 438-470. Autobiography of Grafton.

‡ Autobiography of the Duke of Grafton.

been made to conceal the danger of his condition from the world. "Lord Shelburne," said the King on being informed of the decision of the Cabinet, "must see I am certain, with no small degree of resentment, the total ignorance that those who have governed Lord Rockingham cautiously try to keep both me and him in, as to the desperate state of that Lord, which certainly is with a view to some arrangement of their own. I am apprised that Lord Shelburne, though he has gone great lengths at the expense of his opinion in giving way as to American independence, if it can effect peace, would think he received advice in which his character was not attended to, if he intended to give up that, without the price set on it which alone could make this kingdom consent to it. Besides he must see that the great success of Lord Rodney's engagement has again roused the nation so far that the peace which would have been acquiesced in three months ago, would now be matter of complaint. From the language of Mr. Fitzpatrick it should seem that Lord Shelburne has no chance of being able to coalesce with Mr. Fox; it may not be necessary to remove him at once, but if Lord Shelburne accepts the Head of the Treasury, and is succeeded by Mr. Pitt as Secretary for the Home Department and British Dominions, then it will be seen how far he will submit to it. The quarrelling with the rest of the

party, as a party, would not be wise. If they can be got to remain, it would be advisable; but it would not be right, if only to be attained by Lord Shelburne's being placed in the shoes of Lord Rockingham, that is the head of a party, when in reality he would be the slave of it. He must be the Minister placed on a broad bottom."\*

In the evening of the same day on which the above letter was written, Lord Rockingham died.

\* The King to Shelburne, July 1st, 1782.

## CHAPTER V.

## THE ADMINISTRATION OF LORD SHELBURNE.

1782.

ON the 2nd of July, Lord Shelburne received the following letter from the King :—

“ Lord Shelburne must remember that when in March I was obliged to change my Ministry, I called upon him to form a new one, and proposed his taking the employment of First Lord of the Treasury, which he declined, to accommodate L<sup>d</sup> Rockingham. The vacancy of that office makes me return to my original idea, and offer it to him on the present occasion, and with the fullest political confidence; indeed he has had an ample sample of it, by my conduct towards him since his return to my service. I desire he will therefore see the Chancellor, the Duke of Grafton, and others, either in or out of office, and collect their opinions fully, that he may be able to state something to me on Wednesday. He is at liberty to mention my intentions with regard to

him, and to set forward in forming a plan for my inspection. The letter I wrote this morning and the conversations I have held with him previous to it, are the fullest instructions I can give on the subject

“G. R.

“Windsor, July 1, 1782.”

The same day Shelburne communicated the royal intentions to the other members of the Cabinet. The Whig party at once objected. The proposed arrangement, they said, ought to have proceeded from the recommendation of the King's principal servants; and this opinion was shared by all the friends of the deceased minister. It cannot however be considered to have been a constitutional opinion. The King has an undoubted right to choose his own advisers. In practice, indeed, this part of the prerogative has become limited, owing to there generally being some statesman whose position in the country clearly points him out as the successor of an outgoing or deceased Prime Minister. In such cases, the King has no difficulty in his choice. When however no such person is clearly indicated by the voice of Parliament and of the nation, the King has to exercise his own discretion, guided by whatever counsel he may think fit to seek. He ought however under no circumstances to submit to the dictation of the remaining ministers; or of any other self-appointed junto. What the Whig aristocracy aimed at in 1782

was to obtain the right of themselves nominating the head of the Administration.

Besides Shelburne, there were three persons who could be looked upon as candidates for the succession to Rockingham: Fox, Grafton, and Richmond. The Whigs themselves did not propose Fox. Grafton by his conduct at the Treasury in 1767 seems to have deprived every one of any wish to see him return there; Richmond, owing to his opinions on Parliamentary Reform was unpopular with the old Whigs, and they accordingly put him aside in favour of the Duke of Portland, who was perhaps wanting in every possible qualification for the important place for which he was designated by his friends. "Nobody," says Walpole, "recollected that he had been Lord Chamberlain in Lord Rockingham's First Administration. From that time he had lived in the most stately, but most domestic privacy often in the country, latterly in Burlington House. . . . His character was unimpeached, but he had never attempted to show any parliamentary abilities, nor had the credit of possessing any; nor did it redound to the honour of his faction, that in such momentous times they could furnish their country with nothing but a succession of mutes." His brief Lord Lieutenancy in Ireland had not raised his reputation, and men profanely sneered at him as "a fit block to hang Whigs on," as the centre of a gang of "toad-

eaters," and as a "heavy breeched Christian" who wanted "a shove."\* Fortune nevertheless was reserving for him the singular distinction of being twice Prime Minister of England; first as the leader of the narrowest section of the Whig party, and afterwards as chief of the most Tory of Tory Administrations.

Shelburne undertook to convey the wishes of his colleagues to the King. The King however refused to yield to the dictation of the Whigs, whom he described as "the phalanx," and "the leaders of sedition."† His determination was communicated by Shelburne to a meeting of the friends of the deceased Minister. At this interview, according to Keppel who was present, Fox "showed himself decided to give no facility to the new arrangement." Once he was brought by Richmond who greatly disapproved of Fox's conduct‡ to say, "that if Lord John Cavendish," who was determined in any case to leave the Exchequer, "would accept the seals, he would remain his colleague." Dunning was very anxious for a complete union, but Burke treated the idea with contempt, saying

\* Walpole, "Journals," ii. 547, 548. "Letters," viii. 253, 261, 351.

† The King to Shelburne, July 9th, 1782.

‡ The King to Shelburne, July 4th, 1782. Autobiography of Grafton.

the Shelburne party did not consist of more than seven or eight persons. Dunning's reply was *Non numeremur, sed ponderemur*. Lord John Cavendish however again enacted the part which he had played with such success in 1766, and by a refusal to remain rendered any arrangement impossible. According to Keppel, "the share of power offered by Lord Shelburne, was all that Mr. Fox could desire to assist his management of the House of Commons, and was equal to anything that could in justice be required or with propriety granted."\* On the 5th of July there was an animated conversation at Court, when Fox peremptorily asked Shelburne if he intended to accept the offer made to him by the King. Shelburne replied that he did, and Fox thereupon went to the King, and resigned the seals.† He was followed in his resignation by Lord John Cavendish, Lord Althorpe, and Mr. Montague, all members of the Treasury board formed by Lord Rockingham, by Burke and Sheridan, by the Duke of Portland, and by Mr. Fitzpatrick, who preferred attaching his fortunes to his friend rather than to his brother-in-law, and by Mr. Lee, the Solicitor-General. Some members also of the Whig connec-

\* Autobiography of Grafton. "Memorials of Fox," i. 435-437. Life of the Lord Chief Justice Kenyon, pp. 45, 47. "Nicholls' Recollections," i. p. 98

† "Memorials of Fox," i. 435-437. The King to Shelburne, July 3rd, 4th, 1782.

tion who held places at Court resigned their appointments, but the resignations fell far short of what Fox had expected, and he and his friends hardly concealed their disappointment.\* Out of doors their conduct met with little approval or sympathy. Unwarned however by the first early symptoms of popular disapproval, they resolved to persevere in the course on which they had entered, careless of what means they employed to obtain their ends, and not foreseeing that in another year they would emerge ruined, alike politically and morally, from their death struggle with a Sovereign as unscrupulous as themselves.

The vacant offices were filled up as follows: Lord Shelburne went to the Treasury, and at once appointed Mr. Pitt Chancellor of the Exchequer and Mr. Orde Secretary. Dr. Price he offered to make his Private Secretary, but the Doctor refused, saying the Minister might as well have proposed to make him Master of the Horse. The Seals of the Home and Colonial Department, with the lead in the House of Commons, were given to Thomas Townshend, whose place of Secretary at War was filled by Sir George Yonge. Colonel Barré became Paymaster of the Forces, and Mr. Dundas, a former supporter of Lord North, Treasurer of the Navy. Lord Temple went to Ireland as Lord Lieutenant,

\* Walpole, "Journals," ii. 552.

with Mr. William Grenville, afterwards Lord Grenville, as his secretary. The Secretaryship for Foreign Affairs, a place of the utmost importance owing to the pending negotiations, was conferred on Lord Grantham, for many years minister at Madrid. His long diplomatic experience was expected to prove of invaluable service. He was living in retirement in Yorkshire, when the news of this appointment reached him.\* Richmond and Conway retained their former places. Of the old ministers they had proved themselves the most anxious to avoid a rupture. Grafton considered it right to remain, owing to Shelburne having on former occasions yielded the Treasury at his advice to Rockingham. Keppel's sense "of what was due to the country, to the fleet in general, and to the officers he had himself sent on different commands, prevailed over all other considerations," and though personally connected with the Rockinghams, he too stayed in office. Lord Camden from old attachment to Shelburne kept his post as President of the Council, but doubting the stability of the system, expressed a characteristic wish to resign at the end of three months.† Mr. Pepper Arden the friend of Pitt became Solicitor-General, while the Chancellor and the Attorney-General retained their places; so did

\* Lord Grantham to Sir J. Harris, July 28th, 1782. The King to Shelburne, July 9th, 1782.

† Autobiography of Grafton.

Lord Ashburton. The King found himself with an Administration placed upon a broad bottom, but of a decidedly liberal complexion. Of the eleven Ministers who formed the Cabinet, seven were Chathamite Whigs; two had been followers of Rockingham; Lord Grantham had hitherto connected himself with no political party; the Chancellor represented the King.

The first attack which the new ministry had to meet, was on the 9th of July, when Mr. Coke called attention to a pension of 3200*l.* to Colonel Barré, which he understood was then passing the offices.\* This pension was loudly attacked as scandalous and profligate, more especially because coming from ministers pledged to economy. The pension as was shown during the debate had received the consent of Rockingham, if indeed the suggestion did not actually originate with him; for Barré himself would have preferred some provision in the line of his profession.† The real question however was whether the pension was deserved or not, for the argument

\* For an account of this debate see the "Parliamentary History," xxiii. 152.

† "Parliamentary History," xxiii. 195. Rockingham to Shelburne, March 1782. "Memorandum on the formation of the Ministry." Lord Rockingham's own words are, "Col. Barry, Treasurer of the Navy, with an increased salary in proportion to all former advantages being cut off. The extra increased salary to be made out to Col. Barry for his life."

that a ministry pledged to economy is debarred from granting rewards to the persons who deserve them, carries with it its own refutation. The main facts of Barré's case were these. The value of the posts from which he had been dismissed in 1763 were 1500*l.* net money. It was true, as he acknowledged that he had no right to look upon the post of Adjutant General, and the governorship of Stirling Castle, as giving him a life tenure of either; but they were military places, and he had a right to imagine that he would have been dismissed from them for a military offence only; but the fact was notorious that he had been dismissed for his votes in the House of Commons. It was also customary to give a regiment to the Adjutant General, and his dismissal had entailed upon him the loss of that also. In 1763 he retired on the half pay of a lieutenant colonel, 166*l.* a year. In 1770, again owing to his political conduct, a junior officer was promoted over his head; he had remonstrated but in vain; and in consequence gave up his half pay and retired from the army. Thus he had to leave his profession, and was now in return to enjoy, whenever he should quit his present office, a pension not more than equal to the half pay annexed to the rank, which he would have been filling had he not been driven from his profession; for the real amount of the pension to him after deducting

taxes and fees would be 2100%. Such were the points which Barré urged. The defence, to borrow Walpole's phrase, may sound "broker like," but will hardly be denied a certain amount of force. Fox said "he considered the pension as a payment for services most honourably performed, and by no means thought it either a lavish or misapplied grant." He then left the subject, and diverged into a defence of his own resignation. His speech was however vague and inconclusive, consisting mainly in charges of a deviation on the part of Shelburne from those principles on which the Administration had been formed. It ended with a fierce denunciation of him and his colleagues as a set of "men of that magnanimity of mind which was superior to the common feelings of humanity, for they thought nothing of promises which they had made; of engagements into which they had entered; of principles which they had maintained; of the system on which they had set out. They were men whom neither promises could bind, nor principles of honour could secure; they would abandon fifty principles for the sake of power, and forget fifty promises when they were no longer necessary to their ends. He had no doubt, but that to secure themselves in the power which they had by the labours of others obtained, they would now strive to strengthen themselves by any means which corruption could

procure; and he expected to see that, in a very short time, they would be joined by those men, whom that House had precipitated from their seats."

This violent attack called up Conway, who sarcastically declared that beyond small and nice shades of difference, he knew of no disagreements or divisions in the Cabinet; and denied that there had been any departure from the principles on which the Administration had been originally formed. Those principles were, that they should offer to America unlimited and unconditional independence as the basis of a negotiation for peace; that they should establish a system of economy in every department of government; that they should adopt the spirit, and carry into execution the provisions of the Bill of Reform introduced into that House by Mr. Burke; that they would annihilate every kind of influence over any part of the legislature; and that they would secure to the Kingdom of Ireland the freedoms now settled by Parliament.

Fox replied by again asserting that the differences in the Cabinet arose on questions of the utmost importance. He then in his turn passed on to a sarcastic review of the political conduct of Conway since 1765, accusing him of weakness and want of foresight; forgetful that only a few months had passed since he had himself congratulated Conway on having twice

saved his country, once in 1766 and again in 1782.\* He denied that the present Cabinet was determined to give full, unconditional and unlimited independence to America; he asserted that Lord Shelburne was anxious to screen from punishment those delinquents who had destroyed the English Empire in the East; he said further that his promises of economy and retrenchment were designedly hypocritical, and that his appointment to the Treasury had consequently entailed his own resignation. The patronage of that place he said, was so great, that whoever filled it, must have much more power than any other member of the Cabinet. "It was natural to imagine," he went on to say, "in an Administration formed on the principles of the men distinguished by the name of the Rockinghams, that upon the decease of that great man whose virtues, whose nobleness of thinking, and whose firm integrity bound them together, the man would be sought and appointed to succeed him who most resembled him in character, in influence, in popularity—such at least were his ideas—and the eyes of all men were naturally turned to the Duke of Portland." His speech concluded with another fierce invective against the ministers, and a repetition of his belief that they

\* During the debates which immediately preceded the fall of the Ministry of Lord North. The other occasion to which Fox alluded was the repeal of the Stamp Act.

were capable of coalescing with Lord North. To this attack Conway again replied with much sense and good humour. For the merits he said of Lord Rockingham he had the most serious esteem. "But why degrade the living by an ill-timed compliment to the dead? The Earl of Shelburne was not less respectable because his predecessor was a man of uncommon worth. No; there was an instance of merit in Lord Shelburne that it was but justice to mention to the House. He, so far from renewing the old exploded politics, had been able to convince his royal master, that a declaration of American independence was, from the situation of the country, and the necessity of the case, the wisest and most expedient measure that the Government, from the pressure of present circumstances, could possibly adopt. This he observed was a satisfactory reason to his mind that nothing less than such a measure in its utmost latitude was certainly meant by the Cabinet." Fox again rose, and denied all merit to Lord Shelburne in the matter mentioned by Conway. It was mainly to the House of Commons he said that any alteration of opinion on the part of the King was owing. He therefore deemed it, if not unfair, at least a poor compliment to the House, to attribute to an individual what was owing to their resolutions. Conway retorted what was perfectly true, and what he had a special right to say, that the independence of America

had never been made a question in that House at all.

Fox was supported by Burke and Lord John Cavendish. The speech of the latter was brief and moderate, but Burke surpassed himself in that bad taste which nearly invariably disfigured his speeches, when persons and not principles were in question. His speech, which was listened to with the utmost impatience, concluded by his asking Conway, whether if he had lived in the time of Cicero, he would have taken Catiline upon trial for his colleague in the consulship, after he had heard his guilt clearly demonstrated by the great orator? "Would he be co-partner with Borgia in his schemes, after he had read of his accursed principles in Machiavel? He could answer for him he knew he would not. • Why then did he adhere to the present man? He meant no offence, but he would speak his honest mind. If Lord Shelburne was not a Catiline or a Borgia in morals, it must not be ascribed to anything but his understanding." Burke would have done well, before uttering the above sentiments, to have recollected the job which he had attempted to perpetrate when about to leave the Pay Office for the benefit of his son.\* Sir George Yonge and Pitt followed on the ministerial side. The speech of the latter marked the commencement of his

\* Walpole, "Journals," II. 554. "Memorials of Fox," I: 451.

long contest with Fox. He said he was bound to believe what the latter had said, but had it not been for his solemn declarations, he would have attributed his resignation to a balk in a struggle for power. His conduct was, in his opinion, influenced by a dislike to men and not to measures; and there appeared to him to be something personal in the business, for if Mr. Fox had such a dislike to the political sentiments of Lord Shelburne, why did he ever accept of him as a colleague, and if he only had suspicions but nothing more, why did he not call a Cabinet council, and become certain, before taking such a hasty step as he had done. He then reiterated what Conway had already said, viz., that it was the intention of the Government to persevere in a policy of peace, economy, and reform. After a few more words from Fox, the debate closed by Mr. Coke withdrawing his motion on the subject of Colonel Barré's pension.

In the House of Lords the proceedings were less excited. Richmond made a speech of a character similar to that of Conway. Shelburne then rose, and after thanking Richmond for his support, said that it was from his measures, not from his promises, that he expected to derive support; and if they should not be found to deserve it, he would not repine at not finding it. He lamented as much as any man the loss of Lord Rockingham; he lamented

also the loss the Cabinet must sustain by the retreat of Mr. Fox and Lord John Cavendish, on account of the splendour of the abilities of the one, and the unimpeached integrity of the other: but still he would not think so ill of the other eight ministers who remained in the Council, as to suppose that they were not as attached to principle, and as zealous in the support of it, as either Mr. Fox or Lord John Cavendish, and consequently he said the public might rest satisfied, that while they continued in office, there would be no departure from those great principles which had formed the basis of the Administration. And here, he continued, he wished to observe, that he was bound to those principles, only because he thought them just and expedient: for he did not go into the Cabinet, as the avowed supporter of any man, or body of men; he had taken a share in the Administration of the country, merely as a member of the community, who had been chosen for that purpose by his Sovereign; he stood uncommitted to any man; and, though it had been insinuated that he had fomented divisions for the purpose of creating an opportunity to gratify his own ambition, he would publicly declare, that he had sacrificed the very situation he now held, to his desire of preserving harmony and unanimity in the Council; and though the office of First Lord of the Treasury was most certainly within his grasp when the first arrange-

ments were forming, he sacrificed that object, which appeared to be so desirable to others, and joined the rest of His Majesty's new ministers in soliciting and pressing Lord Rockingham to accept of that employment. It was true, he said, that his principles differed in some respects from those of some of his colleagues; but when they pleaded consistency, it was but fair that he should stand upon his consistency as firmly as they did upon theirs; and it would have been very singular indeed, if he should have given up to them all those constitutional ideas, which for seventeen years he had imbibed from his master in politics, the Earl of Chatham; who had always declared, "that this country ought not to be governed by any party or faction, and that if it was to be so governed, the Constitution must necessarily expire. With these principles he declared he had always acted; they were not newly taken up for ambitious purposes; the House might recollect a particular expression that he had used some time ago, when speaking of party: he declared that he never would consent that the *King of England should be a King of the Mahrattas*, among whom it was a custom for a certain number of great lords to elect a Peishwa, who was the creature of an aristocracy, and was vested with the plenitude of power, while the King was, in fact, nothing more than a royal pageant, or puppet." These being his principles, it was, he said, natural

for him to stand up for the prerogative of the Crown, and insist upon the King's right to appoint his own servants. If the power which others wished to assume, of vesting in the Cabinet the right of appointing to all places, and filling up all vacancies, should once be established, the King must then resemble the King of the Mahrattas, who had nothing of sovereignty but the name: in that case the monarchical part of the Constitution would be absorbed by the aristocracy, and the famed Constitution of England would be no more. It was his adherence to these principles he declared that had drawn upon him some recent attacks, and fastened upon him the imputation of designs which he had never harboured: it was nothing but this adherence to consistency, that had caused the late separation in the Cabinet; he would appeal to the members of that Cabinet: for though much had since been insinuated relative to an alteration in his opinions as to the independence of America, yet those ministers could all vouch, that in the Cabinet no reason of that nature or complexion had been assigned for the late resignations, nor had been even hinted to the King. His own appointment to the Treasury, the importance of the patronage attaching to which was grossly exaggerated, he believed to be the sole cause of the resignations. His opinion on the subject of American independence was still the same; he had declared it often,

and he would repeat it now ; it had ever been his opinion, that the independence of America would be a dreadful blow to the greatness of this country ; and that when it should be established, “the sun of England might be said to have set :” he had therefore always laboured to prevent so fatal a misfortune from befalling his country ; he had used every effort in public and in private, in England and out of it, to guard it from so dreadful a disaster : but now the fatal necessity of seeing it fall upon the country was in full view ; and to necessity he was obliged to give way. But while he felt the necessity of giving way to unavoidable misfortunes, he was free to say, that it was his firm opinion that the melancholy event had been hastened by the rash and precipitate advice, that had been so frequently given by some people, some years ago, to acknowledge an independence, which then might have been destroyed in the bud. It had been insinuated elsewhere, he said, that were his principles relative to American independence known, the people of America would be backward to treat with him for peace ; but he had learned enough from the information received during the last two months, to know that there was no man with whom the Americans would more willingly treat than with himself. As to the steps that had been already taken towards a peace with America, he entreated their lordships to give him credit when he

assured them, that the principle laid down relative to peace with America at any rate, and which had been correctly stated by the Duke of Richmond, had not in the smallest degree been departed from: the despatches upon that subject must remain secret for the present; but the day would come when the publication of them could not be attended with any injury to the public: to that day he looked with an earnest anxiety; he was convinced, both they and the public would then be satisfied that the insinuations thrown out, relative to a change of system towards America, were totally without foundation.

The language of despondency, he declared in conclusion, which had been so often held, had never, in his opinion, been productive of any good; he would have the world know, that though this country should have received a fatal blow by the independence of America, still there was a determination to improve every opportunity, and to make the most vigorous exertions to prevent the Court of France from being in a situation to dictate the terms of peace; the sun of England would set with the loss of America; but it was his resolution to improve the twilight, and to prepare for the rising of England's sun again.\*

The following day Fox protested loudly against

\* See "Parliamentary History," xxiii. 188-196, 200, 201.

the assertion made by Shelburne that the recent resignations were in reality owing to the manner in which the Treasury had been filled, and wrote to Shelburne to complain. Shelburne it would seem did not attach any importance to the previous announcements made by Fox of his intention to resign. "You must be sensible," he wrote in reply to the out-going Secretary of State, "that Sunday was not the only Cabinet Council at which you talked of resignation, and that you particularly desired that what passed *then*, should not be mentioned to the King, which it accordingly never has been by me. Subsequently to Lord Rockingham's death in every conversation I had the honour to have with you, the deliberation turned singly on the succession to the Treasury, without reference to any public point whatever. As to adverting to what has passed either in the Cabinet or in the closet I hold both highly improper, but the impropriety lies with those who make the appeal."\*

Parliament rose on the 11th of July; and Shelburne, who in order to be constantly near London had hired the villa at Streatham, once the residence of the Thrales,† was able to give his undivided attention to the negotiations at Paris. Thither he despatched Benjamin Vaughan, the political economist,

\* Shelburne to Fox, July, 1782.

† "Autobiography of Mme. Piozzi," ii. 101.

an intimate friend of Franklin, to give private assurances to the latter that the change of Administration brought with it no change of policy. To Oswald himself, who did not anticipate that the point of independence once conceded, any difficult points would arise on the American negotiation, Shelburne wrote that he hoped to receive early assurances that his confidence in the sincerity and good faith of Franklin had not been misplaced and that he would concur in rendering effectual the great work in which their hearts and wishes were so equally interested. "I beg him to believe," the letter concluded, "that I can have no idea or design in acting towards him and his associates, but in the most liberal and honourable manner."

On the 9th of July Franklin communicated to Oswald the outline of the conditions which he considered might form the basis of the treaty of peace. These conditions fell into two classes; the necessary and the advisable. The first were as follows:—

1. Independence full and complete in every sense, and all troops to be withdrawn.
2. A settlement of the boundaries of the Thirteen States.
3. A confinement of the boundaries of Canada,

\* Shelburne to Oswald, June 30th, 1782. Oswald to Shelburne, 10th, 11th July.

to at least what they were before the Quebec Act, if not to still narrower limits.

4. A freedom of fishing on the Banks of Newfoundland and elsewhere as well for fish as whales.

The advisable articles were as follows :—

1. To indemnify many people who had been ruined by the destruction of towns. “The whole,” Franklin said, “might not exceed five or six hundred thousand pounds. However, though it was a large sum it would not be ill bestowed, as it would conciliate the resentment of a multitude of poor sufferers, who could have no other remedy, and who without some relief, would keep up a spirit of secret revenge and animosity for a long time to come against Great Britain : whereas a voluntary offer of such reparation would diffuse an universal calm and conciliation over the whole country.”

2. Some sort of acknowledgment by Act of Parliament, or otherwise, of the error of England in distressing the Colonies, as she had done. “A few words of that kind,” Franklin said, “would do more good than people could imagine.”

3. The ships and trade of the States to be received and have the same privileges in Britain and Ireland, as British ships and trade.

4. The cession of Canada and Nova Scotia.

At the close of the interview at which the above conditions were communicated to Oswald, Franklin

distinctly intimated that nothing could be done in the treaty for the Loyalists, as their property had been confiscated by laws of particular States over which Congress had no authority, and he drew back from the suggestion which he had himself made in a previous conversation, that the cession of the back lands of Canada might be accompanied by a stipulation in their favour; as to the difference between the grant of independence by a separate public act, and the expression of it in the clauses of the treaty, he did not seem to Oswald to attach much importance, so long as it was expressly included in the commission to be given to Oswald. At the same time he distinctly intimated that Independence full, complete, and unconditional, would alone satisfy his principals.

Hardly however had Oswald conveyed the above information to Shelburne, and followed it up by an expression of his own belief, that Franklin was anxious for a settlement without allowing himself to be hampered by any particular attention to the views of France, before he had to write again to warn Shelburne that the whole negotiation was imperilled by the conduct of Grenville. When Fox resigned, Grenville thought fit to resign also, though Shelburne had been anxious that he should remain at

\* Oswald to Shelburne, 10th July, 1782.

his post. Mr. Fitzherbert, English Minister at Brussels, was appointed his successor in Paris. Before leaving Paris however, Fox's Envoy shot a Parthian dart behind him, spreading abroad a report that it was not the intention of Shelburne to grant independence to America, and consequently that the negotiation would fail.\* His language made Franklin demand that some express acknowledgment should be given independently of the treaty itself of the recognition by England of the independence of the United States.† "Until it is made," he wrote to Oswald, "and the treaty formally begun, propositions and discussions seem on consideration to be untimely."

On receiving this intelligence from Oswald Shelburne at once wrote as follows:—

"I know the correctness of my own conduct, and that it can stand every test. A French minister might not so easily be brought to understand the conduct of others. But those with whom you have particularly to treat, know too much of the parties incident to our Constitution, and of the violence and inveteracy occasioned by personal disappointment, to be easily misled by false assertions or

\* Oswald to Shelburne, July 10th, 11th, 12th, 1782. Oswald to Shelburne, July 12th. Franklin to Oswald, July 12th, 1782.

† Franklin to Oswald, July 12th. Oswald to Shelburne, July 12th, 1782

newspaper comments. I need only appeal to your own knowledge. However, as you may not wish it to rest entirely upon that, I have obtained His Majesty's leave to send you my dispatch to Sir Guy Carleton and Vice Admiral Digby dated so long ago as the 5th June,\* and Mr. Fox's letter to M. Simolin of the 28th June, and you are at liberty to communicate to Dr. Franklin such parts of both, as may be sufficient to satisfy his mind, that there never have been two opinions since you were sent to Paris, upon the most unequivocal acknowledgment of American independence to the full extent of the resolutions of the province of Maryland enclosed to you by Dr. Franklin. But to put this matter out of all possibility of doubt, a commission will be immediately forwarded to you, containing full powers to treat and to conclude, with instructions from the Minister who has succeeded to the department which I lately held, to make the independency of the colonies the basis and preliminary of the treaty now depending and so far advanced, that hoping, as I do with you, that the articles called advisable will be dropped, and those called necessary alone retained as the ground of discussion, it may be speedily concluded.

“I have only to add on this subject, that these powers which have been prepared since the 21st June,

\* See “Life of Jay,” ii. 459.

were begun upon within twenty-four hours of the passing of the Act, and completely finished in four days following, and have been since delayed owing to its being asserted that your continuance at Paris prejudiced everything that was depending, which required that they should be entrusted exclusively to Mr. Grenville. You know best the truth of this assertion.

“You very well know I have never made a secret of the deep concern I feel in the separation of countries united by blood, by principles, habits, and every tie short of territorial proximity. But you very well know that I have long since given it up, decidedly though reluctantly, and the same motives which made me perhaps the last to give up all hope of reunion, make me most anxious if it is given up, that it shall be done decidedly, so as to avoid all future risk of enmity, and lay the foundation of a new connection better adapted to the present temper and interests of both countries. In this view, I go further with Dr. Franklin perhaps than he is aware of, and farther perhaps than the professed advocates of independence are prepared to admit. My private opinion would lead me to go a great way for Federal Union; but is either country ripe for it? If not means must be left to advance it.

“You will find the Ministry united in full posses-

sion of the King's confidence, and thoroughly disposed to peace, if it can be obtained upon reasonable terms; if not, determined to have recourse to every means of rousing the Kingdom to the most determined efforts. The liberal spirit which has taken place in our domestic government, new plans which are offering every day for augmenting the navy, the national spirit which must result from ill treatment and oppression, the open and weak parts of some of our enemies who have large and distant dominions as well as ourselves to play for, will I am sure produce greater effects than our enemies imagine; but the public expectation will be proportionably raised, distant expeditions relied upon, and peace rendered more difficult than ever.

“Let it be well understood that no offer on our part is now wanting to prevent this series of calamities by an immediate reconciliation.”\*

Actuated by these feelings Shelburne proceeded to instruct the Attorney-General to draw up a commission for Oswald, who was accordingly empowered “to treat, consult, and conclude, with any Commissioner or Commissioners named or to be named by the said Colonies or plantations, and any body or bodies corporate or politic, or any Assembly or Assemblies, or description of men, or any person or persons whatsoever, a peace or truce with the said Colonies

\* Shelburne to Oswald, 27th July, 1782.

or plantations, or any of them, or any part or parts thereof.”\*

He at the same time received instructions from Shelburne, the fourth article of which said: “In case you find the American Commissioners are not at liberty to treat on any terms short of independence, you are to declare to them that you have our authority to make that concession, our earnest wish for peace disposing us to purchase it at the price of acceding to the complete independence of the Thirteen States,”† and he was directed in his negotiations to claim as a matter of absolute justice all debts incurred to the subjects of Great Britain before 1775, and the interposition of Congress with the several provinces to procure an ample satisfaction upon this point; to demand the restitution of the confiscated property of the Loyalists, or an indemnification; to claim New York, which was still in possession of the English troops, and the ungranted domains in each province as a possible means of obtaining this indemnification; to do everything in his power to prevent the United States entering into any binding connection with any other Power; to propose an unreserved system of naturalization as the foundation of a future amicable connection; to act in perfect cordiality with the envoy sent to

\* Commission to Oswald, 25th July, 1782.

† Instructions to Oswald, 31st July, 1782.

negotiate with the European belligerents; and if necessary to dispose the American Commissioners towards a separate negotiation.\*

On seeing the commission of Oswald, Franklin at first said "it would do."† Jay who had been in Paris since the 23rd of June, but owing to a severe illness had hitherto been unable to take any share in the negotiations, was not so easily satisfied. He absolutely refused to have any concern in a negotiation in which the United States were not treated as an independent nation; believing that until their independence was recognized, they would be at the mercy of France and Spain who would barter their rights with England for concessions to themselves. He was mainly induced to take this step by a conversation he had recently had with Aranda, who had traced a line on a map showing him what he considered would be the proper boundaries of the United States.‡

Vergennes, who was not anxious to see the American negotiation make any progress, almost simultaneously informed Fitzherbert that until a preliminary recognition of American independence was given, he would refuse to take any further step in the negotiation; and Franklin, following his lead,

\* Instructions from the King to Oswald, July 31st, 1782.

† "Life of Jay," i. 143, 144. "Works of Adams," iii. 299.

‡ "Life of Jay," ii. 472.

joined his colleague in asking for a change in Oswald's commission, insisting that a certification of American independence should be given, and stating that until then, he would refuse to take any further step in the negotiation; thereby confirming the truth of what Oswald had already told Shelburne, that France would seize every opportunity of delaying a general pacification. Jay also intimated, in order to alarm Oswald, that he was about to sign a treaty of commerce and alliance with Spain, containing clauses in regard to the conclusion of peace, of a character similar to those in the treaty with France.\*

From the 11th to the 17th of August did Oswald go backwards and forwards between the American Commissioners. Jay insisted that independence ought to have been granted by Act of Parliament, and an order given for the withdrawal of all troops, previous to any proposal for a treaty; and he insisted that a *certificate should be given of the grant by a Proclamation, or a Patent under the Great Seal*. In vain did Oswald point out that the constitutional character of any such proceeding as that proposed might be called in question in England, and discussions arise which would only add to the existing

\* Oswald to Shelburne, 10th, 11th, 12th July. Oswald to Townshend, 5th Aug. Fitzherbert to Shelburne, 17th Aug. The King to Shelburne, 25th Aug., 1782.

difficulties. Jay replied by passing in review the whole conduct of England to America, going so far as even to constitute himself the apologist of the French, and to assert that they had been very hardly treated in the last war. Oswald with much force pointed out that that war had been undertaken solely for the benefit of the American Colonies, and that the treaty which concluded it had been dictated from a regard to their supposed interests. Jay however remained obdurate.\* “We have little to expect from him,” wrote Oswald to Shelburne, “in the way of indulgence.” It afforded but small consolation that Franklin told him that Jay “was a lawyer, and might think of things that did not occur to those who were not lawyers,” for as Oswald observed, that would be the very reason, why in all probability a great share of the business would be assigned to him. Oswald at length asked Jay if he would be satisfied with such an alteration in his commission, as would imply that the clause in the treaty recognizing independence should be made independent of the others.† Jay said he would, and suggested further that the words “we do hereby in pursuance of our royal word for ourselves and our successors, recognize the said Thirteen Colonies as free and independent

\* Oswald to Shelburne and Townshend, 17th August. Minutes of his conversations with the American Commissioners, 11th, 13th, 15th August.

† Oswald to Townshend, 17th, 21st Aug., 1782.

States" be inserted in it. "The American Commissioners," Oswald wrote to Shelburne, "will not move a step until the independence is acknowledged, and till the Americans are contented, Mr. Fitzherbert cannot proceed." \*

Jay suspected Vergennes of being the secret cause of the refusal by England of a preliminary recognition of American independence, and of plotting with Fitzherbert in order to exclude the New England fishermen from the Newfoundland banks, and to keep the valley of the Ohio for England; nor was he far from the truth, in regard to the ideas of the French minister. What Vergennes aimed at, was to delay the whole negotiation, in order to keep up the American alliance and the war, in order first to extort Gibraltar from England, and afterwards obtain some express acknowledgment of the Spanish claim to the Mississippi and of the French claim to the fisheries, by the threat of a refusal of further supplies to the Americans.†

On hearing of the difficulty which had so unexpectedly sprung up in Paris, the Cabinet decided on rejecting Oswald's proposal, but in order to facilitate matters, expressed their willingness to accept the "necessary articles" of Franklin, as the basis of the

\* "Life of Jay," i. 462. Oswald to Shelburne, 18th Aug., 1782.

† "Life of Jay," i. 144, 145.

a declaration, that if this point of independence were settled, they would be satisfied, as far as relates to America, with such farther concessions as are contained in the four articles as above stated. You are then, but in the very last resort, to inform them, in manifestation of the King's most earnest desire to remove every impediment to peace, that His Majesty is willing, without waiting for the other branches of the negotiation, to recommend to his Parliament to enable him forthwith to acknowledge the independence of the Thirteen united Colonies, absolutely and irrevocably; and not depending upon the event of any other part of a treaty. But upon the whole, it is His Majesty's express command, that you do exert your greatest address to the purpose of prevailing upon the American Commissioners to proceed in the treaty, and to admit the article of independence as a part, or as one only of the other articles which you are hereby empowered to conclude."\*

It now became impossible for Jay to deny the good faith of the English Ministers. He received almost simultaneously a further proof of the designs of France and Spain in the shape of an elaborate memorandum from Rayneval, showing the nullity of the right of the United States to the valley of the Mississippi; and of a despatch from M. de Marbois, the French chargé d'affaires at Philadelphia, to Ver-

\* Townshend to Oswald, 1st Sep., 1782.

gennes, recently communicated to him by means of one of the secret agents in the employment of the English Government, the secret service money of which was well expended. The despatch strongly condemned the pretensions of New England to the Newfoundland fisheries.\* The effect on Jay was instantaneous. To the arguments of Rayneval, who he ascertained was leaving France for England upon a secret mission, and under an assumed name, he turned a deaf ear,† and without the knowledge or consent of Franklin, he induced Benjamin Vaughan to return to England, in order to tell Shelburne to beware of Rayneval, and to express on his behalf the opinion that the obvious interest of England was to put an end to the alliance between America and France, while as regarded the question of Independence he agreed to waive his demand of a previous and absolute acknowledgment, provided that the commission to Oswald instead of speaking of the Colonies and plantations naming them one by one should denominate them the 13 United States of America.‡

\* "Life of Jay," i. 144, ii. 476. Fitzherbert to Shelburne, 4th, 26th Dec., 1782.

† "Life of Jay," i. 147; ii. 480. Rayneval to Shelburne, 10th Sep., 1782.

‡ Shelburne to Oswald, 3rd Sep. B. Vaughan to Franklin, July 10th. Franklin to Vaughan, July 11th. Oswald to Townshend and Shelburne, 10th, 11th Sep. 1782. Vaughan to Shelburne, 12th Sep. 1782.

“This would set the whole machine in motion,” said Jay, whose influence from this time forward predominated over that of Franklin. Oswald wrote that the French Court evidently wished the Colonies might not be satisfied, and that Lafayette was always “going about the Commissioners,” as one of the latter had himself informed him. “M. de Vergennes,” he went on to say, “has sent an agent over to London on some particular negotiation, it is thought in favour of Spain. That Court wishes to have the whole of the country from West Florida of a certain width quite up to Canada, so as to have both banks of the Mississippi clear, and would wish to have such a cession from England, before a cession to the Colonies takes place. The Spaniards have the whole French title, and would gladly complete it by patches from the English pretensions, which they could not hope for, once we have agreed with the Colonies.” \*

When Rayneval arrived in England, George III. took a strong objection to his quiet and unpretentious appearance, believing it to be part of the stock-in-trade of Vergennes. “The art of M. de Vergennes, is so well known,” he wrote to Shelburne, “that I cannot think he would have sent him if he was an inoffensive man of business, but that he has chosen him for having that appearance, while armed with

\* Oswald to Shelburne. Sep 11th, 1782.

cunning ; which will be more dangerous if under so specious a garb.” \*

Several long interviews took place between this formidable envoy, and Shelburne, who was accompanied by Grantham. In these Shelburne told Rayneval, that he would trust him as he would M. de Vergennes himself; that he desired to borrow the words attributed to the latter, “*une paix stable non plâtrée* ;” that he confessed that he had opposed American independence, as long as it was possible to do so; that it was even now a bitter pill to swallow; but that he must submit to his fate; that except upon that topic, he had as yet given no reply to the propositions of M. de Grasse; at the same time he perfectly understood that the concession of American independence alone would not satisfy France, as Mr. Fox had supposed. There ought to be no difficulty, he added, as to the cession of St. Lucia and Dominica, nor as to the rights of the French fishermen off Newfoundland, the abrogation of the clauses in former treaties relating to Dunkirk, the claims of the French on the coast of Africa, and the settlement of the commercial relations of the two countries on a liberal footing, such as had been aimed at by the eighth and ninth clauses of the Treaty of Utrecht. It must however, he explained, be distinctly understood, that England would admit no claim of sovereignty on the

\* The King to Shelburne, Sep. 14th, 1782

part of France over any part of the Island of Newfoundland, or the establishment of any post, civil or military within its limits; and upon this point Grantham insisted with an earnestness, which, as Rayneval wrote to Vergennes, was unusual in him. Senegal also was not under any circumstances to be held to include the settlements on the Gambia, and England would not surrender Trincomalee. Shelburne also expressed a hope that France would not exercise the right of restoring the fortifications of Dunkirk, as English pride would not suffer "a pistol to be pointed at the mouth of the Thames;" and he also expressed a belief that the abrogation of the clauses of previous treaties on that subject, ought to be couched in terms such as would spare the just susceptibilities of the King of England; it would require an Act of Parliament to enable the English Ministry to negotiate a liberal commercial treaty, and the treaty of Peace between the two countries could consequently touch on that question in but very general terms. On none of these points did the negotiators foresee any obstacle which further *pourparlers* could not easily remove; and it was not till they arrived at the Article of India that any material difference of opinion arose. Rayneval demanded that France should be restored to the position in which she stood in 1754. Shelburne firmly refused to entertain any such proposal. To enfranchise

Dunkirk, to cede what France asked for on the coast of Africa and off Newfoundland, to allow the fortification of Chandernagore was, he said as much as any English Minister would dare to propose; more was impossible. A further discussion of the question led Rayneval to qualify his demands, and it was agreed that, more especially as the propositions now being advanced by the French Minister were all to be considered as having an unofficial character, the ultimate settlement of the French Establishments in India might be safely left to be settled at Versailles.

On the question of the doctrines contained in the declaration of the Armed Neutrality, Shelburne announced that he would under no circumstances make any concession, and this led to a declaration of his views on the proposed mediation of the Northern Courts. He declared that England had no need of their interference; that he could not conceive what the Kaunitzs and the Potemkins could understand about the affairs of Western Europe, considering the great difficulty which Western statesmen had in understanding the affairs of the North. He went on to tell Rayneval that he set no value whatever on the alliance of the Northern Courts; that he was astonished that they should be allowed to play any part at all; that he was of opinion that France and England being reconciled, should after the peace unite their interests in such a manner as to become

the arbiters of the peace of Europe. In support of this position he told the French Envoy that when formerly Secretary of State he had wished to agree with France to hold a firm and decisive language to Russia and Prussia, and thereby prevent a dismemberment of Poland; but this had been rendered impossible by international enmities. He added that he was especially doubtful of the sincerity of Kaunitz. He ended by saying that there were only three people whose agreement was necessary to secure peace, himself, his interlocutor, and Vergennes.

Thus far the interviews between the negotiators had been thoroughly satisfactory. An agreement however at once became difficult when the Spanish claims, as to which Rayneval at first professed to have no information, came on the *tapis*. The French Envoy, after a considerable amount of fencing, told Shelburne that Gibraltar was as dear to the King of Spain as life itself, and that if the cession of it were refused, peace would be impossible. Shelburne replied that Gibraltar would no doubt be in the negotiation, what it was in the sea, "a rock;" that he did not believe that the English nation would suffer any Minister to surrender it; that such had been the opinion of Mr. Fox, with whom he had discussed the question, since when he had not talked about it; in any case if it were ceded, it would only be in exchange for an adequate equivalent,

and Rayneval having suggested that Oran and Mazalquivir would afford such an equivalent, Shelburne refused the proposition altogether, and said that nothing less than Majorca or large cessions in the West Indies would satisfy him. Rayneval demurring to this idea, Shelburne said that his answer on the subject of Gibraltar must be a decided *non possumus* and that the responsibility of the continuance of the war would rest with Spain, and with Spain alone. In this declaration Grantham joined in unmistakeable terms. Again and again did Rayneval return to the charge, urging the claims of Spain, yet always professing the utmost desire on the part of Vergennes and of Louis XVI. himself for peace. Shelburne replied that it was in the power of France to make peace; for himself if put to it he said he would continue the war without hesitation, although sincerely desirous of putting an end to it, and of forming an alliance between France and England; but he firmly declared he would conclude a peace only upon honourable terms.

They then proceeded to speak about America. Here Rayneval played into the hands of English Ministers, by expressing a strong opinion against the American claims to the Newfoundland fishery, and to the Valley of the Mississippi and the Ohio. These opinions were carefully noted by Shelburne and Grantham. The conversation then became general.

“I have been sincerely touched,” said Shelburne addressing the French Envoy, “by all you have told me of the character of the King of France, of his principles of justice and moderation, and of his love for peace. Believing your estimate of his character to be correct, I desire not only to contribute to a pacification between our respective nations and sovereigns, but also to restore those cordial relations upon which their future happiness depends. Not only are they not natural enemies, as men have hitherto vainly supposed, but they have interests which ought to bring them together. There was once a time, when a cannon shot could not be fired in Europe without the consent of France and England, but now the Northern Powers aspire to act independently of us. Thus by our determination to injure one another we have both lost our position. Let us change principles so erroneous; let us unite; let us agree; and we shall dictate terms to the rest of Europe. You are not so blind in France as not to be convinced that on the one hand the policy of the Empire is unnatural, and that Russia wishes to play a part and has views equally unsuitable to the interests of France as of England. If we agree, we shall resume our ancient place, and put a stop to all violent changes in Europe.” “There is,” he continued, “another object which forms part of my policy: the destruction of commercial monopoly. I regard it as

an odious invention, though the English nation more than any other is tainted with it. But this idea needs time and skill, because it is diametrically opposed to the catechism of the English merchants. I shall bestow my most serious attention upon it, and I flatter myself that I shall be able to come to an understanding with your Court on the subject, as well as upon a union in policy." He then went on to tell the French Minister of the difficulties he had had in bringing round the King to his views on these and other subjects. The previous Ministers he said had never spoken to the King except to tell him of his greatness and power; they had always elevated him above all the greatest monarchs and the greatest ministers of the world, and had told him that his resources were infinite and that a short war would be sufficient to destroy the power of France. These ideas were strongly rooted in the mind of George III. and it was no easy task to eradicate them. He believed however that he had already succeeded to a considerable extent in doing so.

In a final interview, before Rayneval left England. Shelburne recapitulated the main points on which he had insisted in their previous interviews; his own desire of peace, and the obstacles interposed by Spain. "If the war is to be continued," he said, "I shall leave no stone unturned in order to carry it on with vigour. I shall seek alliances everywhere; I shall

offer territorial cessions and commercial advantages in every direction in order to gain allies for England and to stir up a Continental war; let the King of France reflect on the consequences. In one way or another I am determined to put an end to the present crisis. I have told the King and the Cabinet that as an English Minister I have only three courses before me, to make war *à outrance*, to conclude a peace, or to resign." Rayneval expressed his cordial wishes for the second alternative,\* and left England. "I cannot," he wrote to Vergennes, "sufficiently express my satisfaction at my reception by Lord Shelburne and the marks of confidence shewn me by him. They are the result of his friendly disposition towards France. They leave nothing to wish for, and I hope will have no slight influence on the negotiation. . . . Lord Shelburne is not ignorant of the suspicions which have been and probably still are entertained in France as to his straightforwardness, and he feels them the more, in proportion as he believes that he has not deserved them. I venture to be of the same opinion, and if I say so, it is because I consider that my personal acquaintance and conversations with Lord Shelburne have placed me in a position to know him perfectly. Unless I am entirely mistaken he is a Minister of noble views and character, proud and determined, yet with the most winning manners. He

\* Rayneval to Vergennes, 13th, 14th, 15th, 16th, 17th Sep., 1782.

takes a broad view of affairs and hates petty details. He is not obstinate in discussion, but you must convince him; still, in more than one instance, I have observed that sentiment more than reason has influenced his mind. I may add that his friends and *entourage* do him honour. There is not an intriguer or doubtful character among them. A man such as I have described is not ordinarily either false or captious, and I venture to say that Lord Shelburne is neither the one nor the other, whatever persons may say who imagine that they know him, but imagine wrongly.”\*

Benjamin Vaughan had arrived, almost simultaneously with Rayneval. It became clear to the Cabinet that a profound feud had sprung up between the Americans and their European allies, and that all they had to do was to avail themselves of it. They at once decided to accept the American proposition as to the terms of the commission to Oswald. Lord Ashburton gave it as his opinion that the alteration came within the terms of the Enabling Act.† The new commission was then at once made out, and despatched to Paris by Vaughan. “Having said and done everything,” Shelburne wrote to Oswald, “which has been desired, there is nothing

\* Rayneval to Vergennes, Sep. 13th, Dec. 25th, 1782.

† Ashburton to Shelburne, 18th Sep., 1782. Townshend to Oswald, 20th Sep., 1782. Shelburne to Oswald, 23rd Sep., 1782.

for me to trouble you with, except to add that we have put the greatest confidence, I believe, ever placed in man, in the American Commissioners. It is now to be seen how far they or America are to be depended upon. I will not detain you with enumerating the difficulties which have occurred. There never was greater risk run. I hope the public will be the gainer, else our heads must answer for it, and deservedly." \*

It remained to be seen whether the separation thus successfully accomplished of the two negotiations, could be maintained, and what effect it would have on the tone of France and Spain.

\* Shelburne to Oswald, 23rd Sep., 1782.

## CHAPTER VI.

## THE SECOND NEGOTIATION IN PARIS.

1782-1783.

ON the 5th of October, after a certain delay caused by the illness of Franklin, Jay handed Oswald the plan of a treaty. It contained the clauses relating to Independence, Boundaries, and the Fishery question, already proposed by Franklin to Oswald, and consequently included a concession of the American claim to dry fish on the shores of Newfoundland. Oswald considering it at least doubtful whether in the interests of peace, it would not be better to yield the latter point, accepted the clause as it stood, nor did he make any attempt at asserting the claims of the English Crown over the ungranted domains, deeming that no real distinction could be drawn between them and the other sovereign rights, which were necessarily to be ceded. The American Commissioners absolutely refused to yield on the subject of the debts contracted prior to 1775, or to admit the claims of the Loyalists.\*

Oswald to Shelburne, October 8th, 1782.

The clause relating to the limits of Canada and Nova Scotia on the one hand, and the United States on the other, gave rise to much discussion. From the earliest period of American history the boundaries of the various Northern Colonies had been in dispute. While France still held Canada, England attempted to deny that any part of the territory South of the St. Lawrence belonged to that province; but after the Peace of 1763 this demand was abandoned, and the Commissions of the English Governors defined the Western boundary of Nova Scotia to be the St. Croix, and a line drawn due north from the source of that river to the southern boundary of the province of Canada. Everything west of the St. Croix and the above line, and south of the boundary of Canada, was accordingly left to the State of Massachusetts, which then included Maine. The point where the line drawn due north from the St. Croix touched the Canadian frontier, came to be known as the North West angle of Nova Scotia, being the angle formed by the above line, and an imaginary line drawn along the Highlands dividing the rivers flowing into the St. Lawrence from those which fall into the sea and into the North West coast of the Baie des Chaleurs. This latter line by a Proclamation issued at the end of 1763 had been declared to be the southern boundary of Canada. No accurate survey however had been made of the country, and

the exact position of the North West angle had consequently never been accurately determined; but it was generally considered to be near the head of the branch of the St. John, now known as the Madawaska, but then incorrectly considered the main stream. Most of the maps published since 1763 placed the North West angle at or near that point. The general course of the St. John and the Madawaska, is continuous from North to South, and Jay now proposed to adopt those rivers as the eastern boundary; to settle the North West angle of Nova Scotia to be in the Highlands at the head of that river near Lake Medousa; and then, following the terms of the Proclamation of 1763, to draw the southern boundary of Canada from the North West angle along the Highlands to the north westernmost head of the Connecticut River; thence along the middle of that river to Lat. 45, thence along that line to the North West bank of the river St. Lawrence, thence to the southern end of Lake Nipissing, and so straight to the source of the river Mississippi. Beyond that river, everything was a *terra incognita*, technically claimed by Spain, but in the actual possession of the Indian and the Buffalo, where as yet the footprint of the European colonist had hardly been planted, and the claims of rival invaders were not sufficiently conflicting to need accurate definition.\*

\* See "Royal Proclamation of Oct. 1763." "Commission of

These boundaries were accepted by Oswald, but Franklin subsequently suggested that as the eastern boundary of Massachusetts was a matter of doubt, it should be settled by a Commission appointed *ad hoc*. Oswald hoping that a further discussion might lead to a settlement more favourable to England, than that put forward by Jay, at once accepted the suggestion, and a clause was accordingly interlined to that effect.\*

To the clauses relating to the above questions, another for reciprocal freedom of commerce was added at the instance of Jay, who, so Oswald said, pleaded in favour of the future commerce of England, as if he had been of her Council. He also strongly urged that West Florida should not be yielded by England to Spain.†

The clause ran as follows:—

“That the navigation of the River Mississippi from its source to the ocean shall ever remain free and open, and that both there and in all rivers, harbours, lakes, ports and places, belonging to His Britannic Majesty, or to the United States, in any part of the world, the merchants and merchant ships of the one and the other shall be received, treated, and protected like the merchants and

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Governor to Gov. Wright, Nov. 1763.” “Papers relating to the Ashburton Treaty presented to Parliament 1843, pp. 17, 87, 185, 187. “Proceedings of the Massachusetts Historical Society,” 4th series, vol. x. 838. “Webster’s Works,” ii. 144, 149.

\* Oswald to Townshend, Oct. 8th, 1782.

† Oswald to Townshend 5th, 8th, 11th Oct. Oswald to Shelburne, Oct. 3rd, 1782.

merchant ships of the Sovereign of the country. That is to say, the British merchants and merchant ships on the one hand shall enjoy in the United States, and in all places belonging to them, the same protection and commercial privileges, and be liable only to the same charges and duties as their own merchants and merchant ships, and on the other hand the merchants and merchant ships of the United States shall enjoy in all places belonging to His Britannic Majesty the same protection and commercial privileges, and be liable only to the same charges and duties as British merchants and merchant ships, saving always to the Chartered Trading Companies of Great Britain such exclusive use and trade, and the respective Ports and Establishments, as neither the other subjects of Great Britain nor any the most favoured nation participate in." \*

Such was the draft treaty sent over by Oswald; in its terms very favourable to the Americans, but as he explained to Townshend avowedly drawn with that object, in order to lay the foundation of future good will, and to leave as few causes of future difference as possible, between the two nations. For the same reason Oswald said nothing on the subject of a future alliance with the States, as he had observed the extreme susceptibility of both Jay and Franklin on anything being mentioned, which might seem derogatory to the complete independence of their country. He considered that the time to allude to such questions was after, not before, the

\* The map which accompanied the draft treaty, was found among the papers of Mr. Jay. See the "Memoir on the North East Boundary" by Mr. Gallatin, New York 1843, which contains a facsimile of the map. See too MAP B.

signature of the treaty, which he urged ought to follow at once, knowing, as he told Shelburne and Townshend, how much it must influence the foreign treaties to the advantage of England, and also how much it had been the wish of the Ministers of France and Spain, that the Americans should go no further in their treaty than they did in their own.\*

On the 6th of October, Vergennes handed to Fitzherbert two memorials, containing the demands of France and Spain. In the West Indies, Dominica and St. Lucia were demanded by France, and in Europe the clauses relating to the fortress of Dunkirk contained in previous treaties were to be rescinded. These propositions were expected; as was also the cession of the river Senegal, and the island of Goree. In India however France demanded not only the restoration of the French factories in Bengal and Orissa, with the right of fortifying Chandernagore, the surrender of Pondicherry, Karikal, and the Comptoir of Surat, but of the whole of the Northern Circars and of Masulipatam; and in America the concession of an exclusive right of fishery off Newfoundland from Cape St. John to the Pointe à la Lune,† and one or more islands in full possession, to be fortified and serve as a guarantee

\* Oswald to Townshend, 11th Oct. 1782.

† Called Cape Lahune on the English maps.

to their fishermen. The demands of Spain were still more extreme. They included the cession of Minorca, of the English possessions and rights in Honduras, Campeachy, of the Mosquito shore, of all Florida, of the Bahamas, of the Isle of Providence, and lastly of Gibraltar; for which however Oran and Mazalquivir were offered as some compensation. Fitzherbert frankly told Aranda that under the instructions he had received from Shelburne there was not the slightest chance of England accepting these terms.\*

The Spanish demand for Gibraltar was encouraged by the knowledge that the idea of ceding it had not in times past been unknown to the statesmen of England, and had been even favourably regarded by Stanhope and by Chatham.† Hardly however had Spain renewed it, before the intelligence arrived of the complete and final failure of the attack on the fortress by the combined armies and fleets of the allies. How to relieve it had been one of the most anxious considerations of the Cabinet. At one of their meetings in September, the Chancellor came into the room where they were all assembled, and in his blunt manner asked where was the man who could point out the means to save Gibraltar? "Lord

\* Fitzherbert to Grantham, 7th October, 1782. "French and Spanish Memorials," 6th October, 1782.

† Lord Stanhope, i. 464; iv. 166.

Keppel," so the Duke of Grafton relates, "replied to the Chancellor, that he certainly had a plan prepared for our consideration and approval, which he would proceed to open to the Cabinet. But he expressed his concern, that he was obliged to state to them another service as pressing, and equally necessary as the relief required for Gibraltar; viz. to get the Baltic fleet safe into our ports. The convoy of this fleet having been informed of the force of the Dutch in the Texel, had put into a port of Norway, I think Bergen, for safety.

"Lord Keppel plainly told us, that the King's yards were so destitute of naval stores, that our dependence for the means of continuing another campaign, rested on the safe arrival of these ships, which were laden with all that was wanted for our navy. His lordship added that neither service could be neglected or deferred; and that he hoped to be able to point out the means, by which both objects might be effected. The Duke of Richmond, said Lord Keppel, acquaints me, that two transports to be laden with ordnance stores cannot be ready to sail with the fleet in less time than a fortnight. The wind, says he, is now at west, which will keep Lord Howe's fleet at Spithead from going down Channel, as well as the Dutch from coming out of harbour. My plan is this, says his Lordship, and it waits your concurrence; for everything else is prepared. Under

the sanction of your authority I would before I went to bed, send Lord Howe orders to detach Vice-Admiral Milbanke with fourteen ships of the line: the Dutch from the best and surest information cannot muster more than eleven of the line fit for sea. I have too good an opinion of the wisdom of my old friends as to suppose they would be so rash as to risk their fleet out against one superior to theirs, both in numbers and size of the ships. To Admiral Milbanke, Lord Keppel said, that further orders should go, to direct him on the instant of the wind turning to the east, to sail back to rejoin Lord Howe, who on descrying the return of this part of his fleet would get under way and join at sea, in order to proceed on their voyage. Your Lordships in the mean time, said Lord Keppel, need be under no apprehensions of the Dutch coming out of port hastily on the disappearance of our ships: for they will naturally conclude that they are blown by the easterly wind into the Downs: and they are too cautious to put to sea, until they have by some scouts ascertained this point. To effectuate this will necessarily cause a delay of forty-eight hours at least: during which time every ship of the Baltic fleet may get with security into some of our ports. For I propose, says he, to send the most positive orders to the officers commanding the convoy at Bergen, without a moment's delay,

as soon as the wind is at east, to run with his convoy over to any British port he can easiest reach. With these orders he will be instructed that by an adherence to them his fleet is secure, and that he would run much risk by a deviation from them.

“We were all so well pleased with the relief which Lord Keppel had given to our minds, that after a few questions to indulge the curiosity of us landsmen, we assured him that we concurred most cordially with every part of his scheme. He then acquainted us that Mr. Stephens with two Lords of the Admiralty were waiting to sign the instructions which should go into no other hands, in order for greater secrecy. We undertook to answer to his Majesty the absolute necessity there was for his service, that the whole plan should be put into motion instantly.

“The wisest of human schemes are under superior control, and the present well-digested plan must have been deferred, at least had the wind come about too soon: but all was propitious, and gave just time to the officer commanding at Bergen to receive his orders and to execute them instantly with success. Admiral Milbanke with equal promptitude followed his instructions, and fell in with Lord Howe on the back of the Isle of Wight. The passage of the fleet with so large a convoy was much impeded by

contrary winds. On their entrance into the Streights they saw the whole combined fleet drawn up near upon the Spanish coast. The *Latona* commanded by Capt. Hugh Conway (since known by the name of Lord Hugh Seymour) led in, and some way ahead, with letters to the Governor, who on seeing the *Latona* making for the harbour, sent to him to get back to apprize Lord Howe of his danger, but Capt. Conway answered that his admiral was well apprized of the strength and position of the enemy, and that he trusted notwithstanding, he should be able to effect the object of his mission, by succouring and supplying the citadel. Accordingly Lord Howe passed the French and Spanish fleets, and covered the store ships and victuallers while they were unlading, receiving little or no interruption in performing this service. This effected, Lord Howe, sailed through the Streights, and in the Mediterranean drew up in line, prepared if the enemy had chosen to attack him. But this was not their design, as appeared soon after; for the two fleets had a kind of running fight when the English fleet had repassed the Streights.

“The enemy was so numerous, that nothing could justify Lord Howe who had answered his great object, to bring on unnecessarily an unequal contest: and his orders to detach 12 or 14 ships of the line, to reinforce Admiral Paget in the West Indies

would have been frustrated, had the fleet much suffered in such a contest: wherefore the gallant Admiral having once more drawn up to offer them battle, aimed at nothing further at that time: but dispatched Vice Admiral King with the freshest of his ships to the West Indies.

“Not long after the decision of the Cabinet, we received the pleasing accounts of the signal successes of the garrison itself in a well conducted and effectual sortie, as also of the distinguished manner, in which the formidable attack of the enemy’s floating batteries was repulsed with an entire destruction of those famous vessels.

“The succour of the place being completely effected by the fleet under Lord Howe, cut off all hopes which the enemy could form; and the siege was raised to the great mortification of the Duc de Crillon, and the army he commanded.” \*

The great victory at Gibraltar at once determined the Cabinet to withstand the demands of France and Spain, to refuse to surrender Gibraltar, and to withdraw from the offer of St. Lucia and Dominica.† Realizing also that the feud between the European belligerents and the United States was already toler-

\* Autobiography of the Duke of Grafton.

† Shelburne to Rayneval, October 21st. Shelburne to Fitzherbert, October 20th. Grantham to Fitzherbert, October 20th, 1782.

ably deep, and that the latter would not in any case continue the war for purely Spanish objects, they resolved to attempt to gain a modification of the American demands as well, in favour of the English creditors and of the Loyalists: points to which Shelburne attached a greater importance than some of his colleagues. Oswald had yielded on them in conformity with the express directions of the Cabinet; they therefore thought it but just to take part of the responsibility of making new demands off his shoulders, and accordingly sent an additional negotiator to his assistance. This was Henry Strachey, once the Secretary of Clive and of Lord Howe's Commission. After serving as Secretary of the Treasury in the time of Lord Rockingham, he had become Under-Secretary in Townshend's Department, where he was known as a man of great discretion, accuracy, and learning. He left with instructions to urge the claims of England, under the Proclamation of 1763, to the lands between the Mississippi and the western boundary of the States, and to bring forward the French boundary of Canada, which was more extensive at some points than that of the Proclamation of 1763. He was to urge these claims, and the right of the King to the ungranted domain, not indeed for their own sake, but in order to gain some compensation for the refugees, either by a direct cession of territory

in their favour, or by engaging the half, or some proportion of what the back lands might produce when sold, or a sum mortgaged on those lands; or by the grant of a favourable boundary of Nova Scotia, extending if possible, so as to include the province of Maine; or, if that could not be obtained, the province of Sagadahock, or, at the very least, Penobscot. "It is understood," so his instructions concluded, "that if nothing of this can be obtained, after the fairest and most strenuous trials, it may be left to the Commissioners to settle, and the American propositions be accepted, leaving out the right of drying fish on the island of Newfoundland, and confining them to what hitherto they have used, a drift fishery; and expunging all the last article except what regards the Mississippi, Administration having no power as to the Act of Navigation.

"It must appear authentically, that every instance has been used, in favour both of the refugees and of the debts prior and subsequent to 1775, and more favourable terms must be obtained, if possible, in the way of absolute and positive engagement; if not, in the way of recognition.

"The refugees are of great importance; but, if the province of Maine be left to Nova Scotia, and the Americans can be brought to join us in regard to West Florida, there are resources which may satisfy them; but the debts require the most serious

attention,—that honest debts may be honestly paid in honest money,—no Congress money.”\*

“I trust and hope,” Shelburne wrote to Oswald, announcing the departure of Strachey, “you are well founded in your judgment of the American Commissioners now at Paris. I am disposed to expect everything from Dr. Franklin’s comprehensive understanding and character; and as I know nothing to the contrary, I am open to every good impression you give us of Mr. Jay. But as you desire to be assisted by my advice, I should act with great insincerity, if I did not convey to you that I find it difficult if not impossible to enter into the policy of all that you recommend upon the subject both of the fishery and the boundaries, and of the principle which you seem to have adopted of going before the Commissioners in every point of favour and confidence. The maxim is not only new in all negotiations, but I consider it as no way adapted to our present circumstances, but as diametrically opposite to our interests in the present moment.

“Supposing the Colonies to return to the state they were in in 1763, I consider it as of the utmost importance to keep the fishery as distinct as possible, to avoid the numberless disputes which occurred

\* Instructions to Strachey, Oct. 20th. Townshend to Oswald, Oct. 20th. Shelburne to Oswald, Oct. 20th, 1782.

perpetually before the present war. But the separation on the point of taking place makes it indispensable for the welfare of both countries to prevent future contention.

“In regard to the refugees, I speak of the mass of them, avoiding to enter into particular odious cases which must always occur in such great concussions. Can there in nature be anything more reasonable than to insist on the justice due to them? Nor can a single argument be offered against it except what you urge, of the particular situation of the Commissioners acting under thirteen provinces with different interests, and in fact no common centre. To remedy this, the matter of the boundaries and back lands naturally presents itself. Independently of all the nonsense of charters, I mean when they talk of extending as far as the sun sets, the soil is, and has always been acknowledged to be the King’s. For the good of America, whatever the Government may be, new provinces must be erected on those back lands and down the Mississippi; and supposing them to be sold, what can be so reasonable as that part of the province, where the King’s property alone is in question, should be applied to furnish subsistence to those, whom for the sake of peace he can never consistently with his honour entirely abandon. The debts due to our merchants previous to 1775 cannot be lightly passed over.

They regard some of our most considerable merchants, who are full of apprehensions, and are making daily applications to Government. Honest debts must be honestly paid and in honest money, and to prove them honest, some security is expected in lieu of the right of appeal which existed when they were contracted. These are considerations dictated by honour and justice, which can never be sufficiently dwelt and insisted on.

“But I beg to recommend the question of policy to your most serious reflection. If we are to look to regain the affections of America, to reunion in any shape, or even to commerce and friendship, is it not of the last degree of consequence to retain every means possible to gratify America at a future I hope not very distant day, when the negotiation will not be carried on at a foreign capital, not under the eye, if not the control of inveterate enemies, nor under the reputed impulse of absolute necessity.

“This is to me such an obvious line of policy, that I cannot believe it possible for it to escape your attention, and indeed am very clearly of opinion that your whole endeavour should be pointed to it. And if there is the disposition you mention in the Commissioners towards Great Britain, and it is stated to them with address, I should think they might be brought to enter into it, as they must feel it perfectly consistent with the language hitherto held to them.

It is at the same time certainly of importance to preserve their confidence and good will, where it can be done without sacrifices which mere speculation can never warrant.

“I have nothing else to add, except the particular satisfaction which it gives me to find that what has passed hitherto in the American or French negotiation has given rise to no speculation in the funds. I need not tell you the numbers which are upon the watch, and of how much importance it is to the reputation of every person concerned to avoid the possibility of it, which can only be done by the most determined reserve on every particular where communication can by any labour or pains be avoided.”\*

He at the same time wrote to Mr. Fitzherbert:—

“I have an extremely good opinion of M. de Rayneval, and wish him to understand that the manner in which he conducted himself here gave satisfaction. Several expressions which dropped from him have confirmed me in an opinion that the French Court desire peace. It is certainly their interest, as the events of war and the duration of alliances are uncertain, though now in their favour. The war on their part could have no reasonable object except an extension of commerce. According to what is proposed they will have obtained and

\* Shelburne to Oswald, October 21st, 1782.

secured it to the east and west without limitation. The independence of the Thirteen Provinces ensures the one, and it is my determination to grant the other, upon the same footing as to our own subjects. Nothing remains in our favour except the territory, a doubtful good and certainly not worth having, if the seeds of a rival power are suffered to be sown anywhere from Bengal to Madras, much less a foreign standard planted either in Bengal or at Masulipatam. They have as much the right to expect it within Great Britain, and it would be much safer, because we could better guard against it. Considering the length we go in other quarters of the world, particularly in Newfoundland, and the balance, if you try it on paper, in their favour, I cannot conceive there will be any real hesitation on their part, and it is our determination that it shall be either war or peace before we meet the Parliament; for I need not tell you that we shall have then to meet so many opinions and passions supported by party and different mercantile interests, that no negotiation can advance with credit to those employed. It may be of importance that the French Ministry be made to understand this clearly, and it may be the means of bringing both them and the Spaniards to an ultimatum, which will leave nothing to us but to say *yes or no*. This would be very desirable in many points of view, and appears to

me the only certain way of preventing infinite discontent.” \*

Shelburne also wrote to Rayneval reminding him of their private conversations, after which he said it was impossible to enter into the discussion of new propositions less advantageous to Great Britain than those then put forward. “Pour moi,” he went on to say, “ni le succès à Gibraltar, ni les nouvelles les plus agréables de nos Flottes, ni les difficultés intérieures, que j’ai à combattre ici, n’auront l’effet de porter aucun changement (autant qu’il dépend de moi) dans les sentimens que je vous ai temoignés pour terminer la guerre par un accommodement honorable et modéré.” †

The views of the English Cabinet were placed before Vergennes and Aranda by Fitzherbert. He soon found the effect of the victory at Gibraltar, and that except in regard to Dominica, there would be no difficulty of any magnitude with France, who withdrew from her demand of the Circars and Masulipatam, and of an exclusive right of fishery off Newfoundland, on condition that England should agree “*ministeriellement*” to secure an uninterrupted enjoyment of their occupation to the French fishermen, by means of instructions given to the Colonial Governors.‡

\* Shelburne to Fitzherbert, Oct 21st, 1782.

† Shelburne to Rayneval, Oct. 21st, 1782.

‡ Fitzherbert to Grantham, Nov. 5th, 1782.

Vergennes also at first seemed disinclined to support the extreme demands of Spain, who now evidently despaired of obtaining Gibraltar except by negotiation, and for a fair equivalent. He said that the conduct of that country "was like that of a petty shopkeeper, who thinks that the only way to get a fair price for his goods is to begin by asking ten times more than they are worth;" and he added in the same strain of derision, that "he thought the best method we could follow in order to shame them out of so paltry a manner of proceeding was to act the more dignified part of the respectable wholesale merchant, and deliver in, at a single word, the terms which we were resolved at all events to adhere to."\*

On the Court of Madrid however standing firm, Vergennes abruptly assumed a different attitude, and seemed to Fitzherbert to carry the matter even further than Aranda; saying that peace with Spain could not be made without the cession of Gibraltar. Aranda being pressed on the point by Fitzherbert, said he would give anything in exchange for it except one of the *limbs of Spain*. Being asked what he understood by that expression, he said that it included Porto Rico,† which George III. who was in no manner opposed to the cession of the fortress, had set his heart on obtaining in exchange. So

\* Fitzherbert to Grantham, Oct. 24th, 1782.

† Fitzherbert to Shelburne, Nov. 5th, 1782. Fitzherbert to Grantham, Oct. 28th, 1782.

little aware however were his descendants of the sentiments of their predecessor on the throne, that on the formation of Lord Grey's Cabinet in 1830, William IV. insisted on a declaration from Lord Lansdowne, that he had no intention of renewing the proposition of Lord Shelburne to cede Gibraltar, a proposition to which, so William IV. declared, no patriotic king could possibly accede.

Simultaneously with this change of front on the part of Vergennes, the Dutch plenipotentiaries Berkenroode and Brantsen, who had at length arrived in Paris with full powers, informed Fitzherbert, in what the latter considered a very dictatorial manner, that they would insist on the principles laid down by Fox in his despatch of April to M. Simolin, in regard to Armed Neutrality, being recognised by England as a preliminary to any treaty of peace with the Dutch Republic. They also demanded the restitution of all the English conquests, and compensation for all the captured Dutch merchant vessels. These demands Fitzherbert refused, and explained that he considered that the despatch of Fox had become null and void, from the moment that the overture for peace which it likewise contained, had been rejected by Holland, as it recently had been.\*

\* *Projet de Préliminaires*, Nov. 9th, 1782. Fitzherbert to Grant-  
ham, Oct. 28th, 1782. Vergennes to Shelburne, Nov. 15th, 1782.

The respective negotiators being entirely unable to come to any terms, the French Government again despatched Rayneval to England.

On arriving Rayneval proceeded to demand Dominica for France, and suggested the following arrangement regarding Gibraltar; viz. that France should yield Dominica and Guadaloupe to England, receive Gibraltar in exchange, and then arrange for an equivalent with Spain. Shelburne however rejected both propositions, and intimated to Rayneval that the negotiation could not drag on for ever, and that a definite determination for peace or war must be come to. He was convinced from the language and attitude of the French emissary, that his principals had no real intention of continuing the war for purely Spanish objects; he knew that a separate peace could, whenever he chose, be concluded with America, and that France would then have to ask herself the question whether in order to gain Gibraltar for Spain, she would choose to encounter the yet formidable, though reduced power of England. "Our finances," he said to Rayneval, "are impaired, but not so much so as those of France." \*

Hoping to be able to announce both pacifications at the opening of the session, the Ministers resolved

\* Rayneval to Vergennes, Sep. 17th. The King to Shelburne, Nov. 21st, 25th. Shelburne to Rayneval, Nov. 25th, 1782.

to prorogue Parliament from the 26th of November, the day for which it had been summoned, to the 5th of December. Their decision was communicated in a letter from Townshend to the Lord Mayor of London, which stated that the wish of the Ministers was to keep the country as fully informed as the circumstances of the case admitted of what was passing, and thereby to prevent speculation in the funds.\* The correspondence of Shelburne and Townshend at this period with Oswald, Strachey, and Fitzherbert, reveals their constant anxiety to prevent the inventions of the numerous stock-jobbers, who kept rapidly passing between London and Paris, and disseminating false news in both cities, from taking effect on the public mind. The speculators, aware of this, revenged themselves by spreading abroad a report that the Prime Minister himself had been taking advantage of his official knowledge to speculate, and the Opposition hacks were not ashamed to lend themselves to this disgraceful calumny.† One of the most celebrated of Gillray's caricatures represents him with a booted and spurred French courier on his left just arrived from Paris with the news that the Preliminaries were signed, and on his right a group of Jews waiting to receive the payment of the sums supposed to have been lent on the security of Shel-

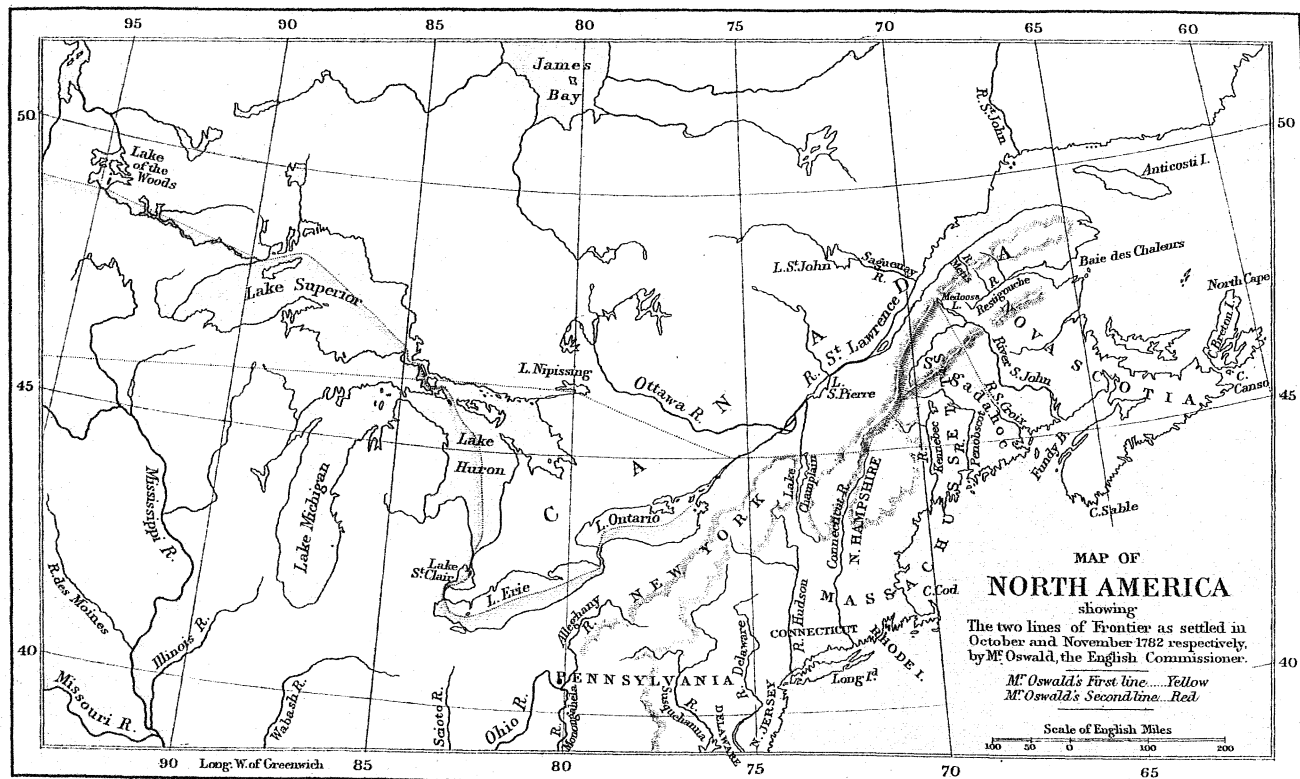
\* "Parliamentary History," xx.ii. 279.

† Wraxall, "Posthumous Memoirs," i. 230.

ought to have been firmer, now wrote in hopeful terms to the Ministers in England.\*

On the 30th of October, and the three following days, formal interviews took place between the negotiators of the two countries. The American Commissioners having practically thrown over the French alliance, had to recede from the extreme demands originally formulated by Franklin. They agreed to accept the St. Croix instead of the St. John, as the boundary, and that from its source the Eastern boundary should be the line indicated in the Proclamation of 1763, up to the point where that line intersected the Highlands separating the rivers falling into the Atlantic Ocean, from those falling into the river St. Lawrence. From that point, which was to constitute the North West angle of Nova Scotia, the boundary was to follow the highlands to the north-westernmost head of the Connecticut River, thence follow the middle of that river to Lat. 45, then run through the centre of the water communications of the great lakes to the Lake of the Woods, and from that point to the source of the Mississippi, which was then supposed to lie due west. Some deviations in the proposed line were left at the option of the English Government. "I

\* Diary of John Adams for 1782. "Life of Jay," i. 152. Adams Works, iii. 301, *et seq* Oswald to Shelburne, 29 Oct. 1782. Strachey to Townshend, 29 Oct. 1782.



London; Macmillan & C<sup>o</sup>

Stanford's Geographical Estab<sup>l</sup>



despatch," wrote Strachey to the English Ministers, "the boundary line originally sent to you by Mr. Oswald, and two other lines proposed by the American Commissioners after my arrival at Paris. Either of these you are to choose. They are both better than the original line, as well in respect to Canada, as to Nova Scotia." \*

It was the loss of the map, with the line marked out as finally agreed upon, which led to the difficulties terminated in 1842 by the Ashburton Treaty. The line drawn upon the map was the only means of affixing an exact meaning to the words used. It ought after the signature of the Final Treaty to have been worked out on the spot by special Commissioners appointed *ad hoc*. Owing however to the negligence of those who signed the Final Treaty, Boundary Commissioners were never named.†

The American Commissioners next abandoned the claim of drying fish on the coast of Newfoundland, on condition that their fishermen should be given the right on the unsettled parts of the coast of Nova Scotia. The right of fishing in the Gulf of St. Lawrence was at the same time conceded to them.

\* Strachey to Townshend, Nov 8th, 1782.

† The map with the line finally fixed upon is now at the British Museum in the "King's Library." (See further on this subject the note at the end of this chapter.) See MAPS B and C.

The future position of the Loyalists alone remained to be dealt with; for the right of the King to the ungranted domain had to be abandoned, as Oswald had foreseen. The struggle on this point proved very sharp, and Oswald wrote in terms of the highest praise of the skill, knowledge, and perseverance of his colleague.\* The American Commissioners however would not yield. "With regard to the refugees," wrote Strachey to Townshend, "I see nothing for them except what you have in Canada, and the little piece now added to Nova Scotia, between the original boundary sent to you by Mr. Oswald and that now obtained."†

Before leaving Paris however Strachey and Oswald addressed formal and separate demands in writing to the American Commissioners on the subject of the Loyalists, to which the latter again refused to listen, except upon condition that England should agree to make retribution to those Americans, who had suffered loss by the depredations of the English army. Notwithstanding this refusal, Strachey still believed that Jay and Adams would make some concession on the point rather than break off the treaty; Oswald recognized the obduracy of Frank-

\* Oswald to Shelburne, 29th Oct. 1782. Oswald to Townshend, 29th Oct. 1782. Strachey to Townshend, 29th Oct. 1782. Franklin to Townshend, 4th Nov. 1782. Oswald to Townshend, 5th, 6th, 7th, Nov. 1782.

† Strachey to Townshend, Nov. 8th, 1782.

lin, but was not so hopeful as Strachey in regard to his colleagues.\*

Such was the position of affairs in the middle of November when Rayneval returned to France and Strachey to England. As the moment approached when the tie between the Colonies and England was about to be formally severed, George III. grew more and more restive. "I am too much agitated," he wrote to Shelburne, "with a fear of sacrificing the interests of my country by hurrying it on too fast, which indeed has been uppermost in my thoughts since the beginning of the war, that I am unable to add anything on that subject, but the most frequent prayers to heaven to guide me so to act, that posterity may not lay the downfall of this once respectable Empire at my door; and that if ruin should attend the measures that may be adopted, I may not long survive them. \* \* \* \* \*

I cannot conclude without mentioning how sensibly I feel the dismemberment of America from the Empire, and that I should be miserable indeed if I did not feel that no blame on that account can be laid to my door, and did I not also know that knavery seems to be so much the striking feature of

\* Strachey to the American Commissioners, and Oswald to the same with their reply, Nov. 5th, 6th, 1782. Oswald to Townshend, 8th Nov. 1782. Franklin to Townshend, Nov. 4th, 1782. Strachey to Townshend, 8th Nov. 1782.

the inhabitants, that it may not in the end be an evil that they will become aliens to this Kingdom." \*

With a full appreciation of the difficulties that arose from this attitude of the King, Shelburne met the Cabinet. Richmond and Keppel were very bitter against Oswald, who they declared was only an additional American negotiator, and they proposed to recall him. This Shelburne and Townshend refused to do, as they especially desired that Oswald should be in Paris to negotiate a commercial treaty, as soon as the necessary Acts of Parliament had been passed. The main question however they had to settle was what course they would pursue in regard to the Loyalists. Shelburne had very strong opinions of his own on the question, and the public voice demanded in no un mistakeable terms that they should not be abandoned. On the other hand there was the risk that persistence might throw the Americans back into the arms of the French. The bolder course recommended itself to the mind of Shelburne, notwithstanding the persuasions of Vaughan, who undertook another journey from Paris to try to induce him to give way. Strachey was instructed to return to Paris, and while accepting the main propositions already put forward, to demand the addition of certain limitations taken from former treaties with France, as to the distance within

\* The King to Shelburne, Sep. 16th, Nov. 10th, 1782.

which the American fishermen were to come off Cape Breton and other islands in the Gulf of St. Lawrence, and to insist once more on an indemnity for the estates of the refugees and the Loyalists, and for the proprietary rights of the Penns and the heirs of Lord Baltimore, and for a recognition of the validity of debts contracted subsequently as well as prior to 1775.\* “It is no idea of interest,” Shelburne wrote to Oswald, “which actuates us in regard to the refugees; it is a higher principle. This country is not reduced to terms of humiliation, and certainly will not suffer them from America. If Ministers through timidity or indolence could be induced to give way, I am persuaded the nation would rise to do itself justice, and to recover its wounded honour. If the Commissioners reflect a moment with that coolness which ought to accompany their employment, I cannot conceive they will think it the interest of America to leave any root of animosity behind, much less to lodge it with posterity in the heart of the treaty. It is a very inferior consideration, and what you will do me the justice to acknowledge that I never leant to, what affects the Ministers of the day. Our uniform conduct ought to speak for itself, and it must lie with the Americans what return they choose to make.

“If the American Commissioners think that they

\* Instructions to Strachey, November 21st, 1782.

will gain by the whole coming before Parliament, I do not imagine the refugees will have any objection.”\*

Strachey returned to Paris in the middle of November. During his absence the breach between France and the United States had been sensibly widened, for Vergennes had not only persisted in his views on the fishery and boundary questions, but had stated that in his opinion the demands of the American Commissioners on the subject of the Loyalists were unreasonable, and that France would not continue the war for American objects.† The American Commissioners on the other hand said they would not continue war for French and Spanish objects. “You are afraid,” said Oswald to Adams, “of being made the tools of the Powers of Europe.” “Indeed I am,” replied Adams. “What powers?” asked Oswald. “All of them,” bluntly replied Adams.”‡

While Strachey was still in England various conversations had taken place between Oswald and the Commissioners, and at one of these the former suggested, that since the latter would not positively

\* Shelburne to Oswald.

† Fitzherbert to Grantham, Nov. 5th, 1782. Vergennes to Laurens, 14th Oct., 23rd Nov. 1782. Oswald to Shelburne, Nov. 15th, 1782. Shelburne to Townshend, Nov. 22nd, 1782.

‡ “Diplomatic Correspondence of the American Revolution,” vi. 488.

undertake to grant a restitution or compensation to the refugees and Loyalists, they might still add a clause to the treaty "of recommendation to the Congress in their favour in general;" but all to no purpose. On the return of Strachey to Paris, Oswald communicated the idea to him, and they resolved with the consent of Fitzherbert to bring it forward a second time.\*

On the 28th November the negotiators met at Oswald's lodgings. Mr. Laurens, who had been exchanged for Lord Cornwallis, had now joined his colleagues, just in time to take a share in the final discussions. The interview began by Strachey "clearly telling the American Commissioners that the restitution of the property of the Loyalists was the grand point upon which a final settlement depended. If the treaty should break off, the whole business must go loose, and take its chance in parliament." The American Commissioners now practically stood alone, and to a certain extent felt the consequences of their isolation. After long discussions they agreed that there should be no further confiscations of property, nor prosecutions of Loyalists and that all pending prosecutions should be discontinued. They further practically accepted the idea which Oswald had put forward a few days previously; and it was agreed that Congress should recommend to the

\* Oswald to Shelburne, Nov. 15th, 1782.

Legislatures of the several States, an amnesty and the restitution of all confiscated property. With regard to the fishery the English Commissioners yielded. On the other hand the fourth article which was intended for the security of creditors before the war was extended to all creditors.\*

There was now nothing further to settle. The only question was whether the English Commissioners could venture to sign, without consulting their principals. Franklin was really anxious to conclude; on the other hand he threatened that if there was any further delay he would reopen the question of the Loyalists, and the English Commissioners knowing that they had everything to lose and nothing to gain by delay, decided to sign at once.

To save the consciences of the American Commissioners, and to give them a technical defence against the inevitable complaints of France, the Articles now signed were declared in the Preamble to be those "to be inserted in and to constitute the Treaty of Peace," but the treaty it was declared "was not to be concluded until terms of a Peace shall be agreed upon between Great Britain and France."

"A very few hours ago," Oswald wrote to Shelburne on the 29th, "we thought it impossible that any treaty could be made. We have at last however brought matters so near a conclusion that we have

\* Oswald to Shelburne and Townshend, 29 Nov. 1782.

agreed upon articles, and are to meet to-morrow for the purpose of signing. In such particulars as the treaty falls short of your Lordship's wish or expectation the imputation must be upon the inflexibility of uncommon circumstances." \* "If," wrote Strachey, "this is not as good a peace as was expected I am confident it is the best that could have been made. Now are we to be hanged or applauded for thus rescuing England from the American war?" †

While Oswald and Strachey were negotiating with the American Commissioners, the French and Spanish Ministers were considering the English reply to their proposals. The result of their deliberations was an offer on the part of Spain to cede West Florida to England for Gibraltar; but France still refused to accede to the retention by England of Dominica and of Trincomalee. With these proposals Rayneval returned to England on the 2nd of December, accompanied by M. de Vergennes' son, and was shortly after joined by M. de Heredia, Secretary

\* Oswald to Shelburne, Nov. 29th, 30th, 1782. Strachey to Townshend, Nov. 29th, 1782.

† Strachey to Nepean, Nov. 29th, 1782. It is worth observing here that both Oswald and Strachey express the very highest opinion of the value of the assistance given them at this stage of the proceedings by Mr. Fitzherbert. "You would have had no treaty without him." Strachey to Townsend, Nov. 29th, 1782. The Duke of Grafton speaks in similar terms in his "Memoirs." Upon what the unfavourable character of this able diplomatist given by Mr. Bancroft (x. 556) is founded does not appear.

to the Spanish Embassy in Paris, and by M. Tor on behalf of the States-General.

Rayneval was the bearer of a private letter from Vergennes to Shelburne, expressing a fervent hope that the propositions now sent over would be found acceptable. "Eh! que n'hasarderais-je pas," said the French Minister, "pour être utile au genre humain;" and all through his letter his own individual wish for peace was apparent, tempered by a desire to satisfy the demands of Spain, and the *amour-propre* of his own countrymen.\* "The letter from M. de Vergennes," said the King on reading it, "is in the usual French style, and no judgment can be formed from it;" but he considered the arrival of M. de Vergennes' son a favourable omen for peace.† Shelburne however was disposed to believe in the personal sincerity of the French Minister, and he afterwards confessed that if the French Court had not so openly betrayed a desire for a pacification, he would not have ventured to have been so firm.‡

Violent altercations took place between the members of the English Cabinet, when the French and Spanish project came to be considered. Though unanimous in deciding to reject it, they could not agree what to ask themselves. Grafton wished to

\* Vergennes to Shelburne, Nov. 28th, 1782.

† The King to Shelburne, Dec. 2nd, 1782.

‡ Soulavie, Louis XVI v. 17.

obtain Porto Rico and Trinidad in exchange for Gibraltar; the King and Shelburne wished to obtain Porto Rico and West Florida; Richmond and Keppel objected to any cession or exchange of the fortress.\* So marked did their differences become that Shelburne said to Grafton subsequently to one of their meetings: "I will fairly tell you that as to Lord Keppel I should be happy to see him away from his Board. The Duke of Richmond also must take the part he judges proper; I shall see it with indifference, but though it would be very unpleasant to me, and give me great concern to differ from you, yet I must bear it, for I am resolved to stand by the King."†

On the 3rd of December the Cabinet at length settled, that "if France would agree to the Preliminaries as already drawn up, and that if Spain would besides Minorca restore the Bahamas, and allow a well-regulated establishment in some part of the coast of Honduras, the proposal of exchanging Gibraltar for Guadaloupe might be accepted, and that in consideration of the above cession, and of West Florida being kept by Spain, the Island of Trinidad should be ceded to his Majesty."‡ On the same day however the news arrived of the signature

\* Cabinet Minutes of 1782. Autobiography of Grafton.

† Autobiography of Grafton.

‡ Cabinet Minutes of 1782.

of the Preliminaries with the United States, and the question of the terms to be asked from Spain and France was again reopened. Thus the only result of the decisions of the Cabinet before the meeting of Parliament, was the rejection of the propositions of Rayneval. The latter however remained in England with M. de Vergennes, awaiting the final decision of the Government. They were meanwhile the guests of Shelburne, and during their stay made acquaintance with Jeremy Bentham, who condemned them both as extraordinarily ignorant persons.\*

On the 5th of December, Parliament met, and only one pacification could be announced. "Finding it indispensable to an entire and cordial reconciliation with the Colonies, I did not hesitate," the King said in his speech, "to go the full length of the powers vested in me, and offered to declare them Free and Independent states, by an article to be inserted in the treaty of peace. Provisional articles are agreed upon, to take effect whenever terms of peace shall be finally settled with the Court of France. In thus admitting their separation from the Crown of these kingdoms, I have sacrificed every consideration of my own, to the wishes and opinions of my people. I make it my humble and earnest prayer to Al-

\* Vergennes to Shelburne, Dec. 1782, Jan. 1783. Bentham, x. 125, 126.

mighty God, that Great Britain may not feel the evils which might result from so great a dismemberment of the Empire ; and that America may be free from those calamities, which have formerly proved in the mother country how essential the Monarchy is to the enjoyment of constitutional liberty. Religion, Language, Interest, Affections, may, and I hope will yet prove a bond of permanent union between the two countries ; to this end neither attention nor disposition on my part shall be wanting.”

The speech then alluded to the affairs of India, to necessity of economy, to the execution of the reductions in the Civil List expenses ordered by the Act of the previous session, to the further reforms in the public departments which had been carried out, to the suppression of sinecure places, to the necessity of continuing the policy of reform in the same direction, to the enquiry which had been set on foot into the administration of the landed revenue, and the management of the Mint, and then went to say : “ I must recommend to you an immediate attention to the great objects of the public receipts and expenditure and above all to the state of the public debt. Notwithstanding the great increase of it during the war, it is to be hoped that such regulations may still be established, such savings made, and future loans so conducted, as to promote the means

of its gradual redemption, by a fixed course of payment." \*

The condition of parties in Parliament at this period, according to Gibbon, who had received his information from Eden, was "Minister one hundred and forty; Reynard, ninety; Boreas, one hundred and twenty; the rest unknown or uncertain. The last of the three by self or agents talks too much of absence, neutrality, moderation. I still think he will discard the game." †

As yet no union existed between the two sections of the Opposition, although they joined to attack the treaty which they had not yet seen. Their grounds for doing so, were however different, if not contradictory. Lord Stormont attacked the concession of independence to America, because, he said, it was irrevocable, while Fox renewed his old attack on Shelburne for having made independence an article of treaty.‡ Unfortunately for the Ministers, they gave a handle to their adversaries, by themselves adopting a contradictory line of defence in the two Houses of Parliament. Pitt replying to Fox, and saying what was practically true, and also entirely in keeping with the policy of the Government, declared that the recogni-

\* "Parliamentary History," xxiii. 206

† Gibbon to Holroyd, Oct. 14th, 1782.

‡ "Parliamentary History," xxiii 215, 233

tion of the independence of America, as it stood in the treaty, was irrevocable, and therefore as good as the preliminary recognition demanded by Fox;\* Shelburne, tempted possibly by the wish to gain a debating triumph over Stormont, and alarmed at hearing that Franklin was threatening to bring forward fresh articles before the treaty was finally signed, anxious too to satisfy the susceptibilities of the King, reminded the House that the recognition was technically not final, till it was enshrined in the Final Treaty, which the United States could not sign without the consent of France.† George III. was furious with Pitt. "By Lord Shelburne's account," he wrote, "it very clearly appears that Mr. Pitt on Friday stated the article of independence as irrevocable, though the treaty should prove abortive. This undoubtedly was a mistake, for the independence is alone granted for peace. I have always thought it best and wisest if a mistake is made openly to avow it, and therefore Mr. Pitt ought, if his words have been understood to bear so strong a meaning, to say so. It is no wonder that so young a man should have made a slip. This would do him honour. I think at all events it is highly material that Lord Shelburne should not by any language in the House of Lords appear to change his conduct,

\* "Parliamentary History," xxii. 265.

† "Parliamentary History," xxii. 217.

let the blame fall where it may. I do not wish he should appear but in that dignified light which his station in my service requires, and which can only be maintained by his conduct in the whole negotiation of peace having been *neat*, which would not be the case if Mr. Fox could prove that independence was granted otherwise than as the price of peace; besides Mr. Vaughan's letter shows further demands are to come from Franklin, which must the more make us stiff on this Article." \*

- Although unable to agree in their criticisms, the Opposition were able to vie with one another in the violence of their language. The King's advisers, said Lord Stormont, were guilty of "the most preposterous conduct" and had shewn "the greatest imbecility;" the Provisional Articles, he declared had been dictated to the American Commissioners by the French Ministers.† Burke called the speech "a farrago of hypocrisies and nonsense," but was very indignant when in reply Pitt talked of treating him "with scorn and contempt." Fox, supporting Burke, declared that he detested the speech as much as he despised it, and followed up this observation with a series of sarcasms on the "sunset speech" of Shelburne.‡

\* The King to Shelburne, Dec 8th, 1782.

† "Parliamentary History," xxiii 215

‡ "Parliamentary History," xxiii 267, 276.

Notwithstanding these fierce attacks the attempts made to obtain information, and copies of such parts of the Provisional Treaty as related to American independence, were easily defeated. "The great advantage of Monarchy in the English Constitution was," Shelburne said, "that it trusted to the Crown the secrets which must necessarily attend all negotiations with foreign powers. He could easily conceive, he said, a case in which the people of this country might speak to the Crown in such language as this: 'Sire, we called in the aid of your illustrious family to save us from Popery and arbitrary power. We have for three ages reaped the benefits of their attention to our interests and welfare, but not thinking that Monarchy is any longer essential to our security, freedom, and happiness, we are determined to do all the business of the Crown ourselves: and therefore, with many thanks for your care and kindness, we make you our bow, and entreat you to relinquish the trust.' He could conceive all this; but while the Crown did remain a part of our Constitution, and those negotiations were trusted to the prerogative, he could have no conception of their calling for the secrets of any negotiation which the King might be carrying on for the purpose of peace. The noble earls thought there was no danger in disclosing the treaty in question. The best answer to this assertion was, that those

Peers who did know the subject matter of the treaty, were of opinion that there was danger in its exposure, and they therefore refused it.”\*

The discussions with Rayneval had meanwhile continued. Two alternative schemes were at length agreed upon by the Cabinet and submitted to the King, who conveyed his decision upon them to Shelburne, in the following letter:—

“Lord Grantham’s note is come, stating the two propositions:—

“1st. *St. Lucia and Guadaloupe for Gibraltar,* but that as this will render Martinico useless, France must also give up that island, for which she must expect an equivalent in the East or West Indies.

“2nd. *Gibraltar to remain in our hands, but Spain satisfied by some acquisition.*

“I should prefer the first proposition, if I could see any equivalent to Martinico in the West Indies, that we could offer France. To give her further footing in the East Indies would be big with mischief; the two Floridas alone occur to me, and let France and Spain by mutual exchanges accommodate themselves. As to the second, I would propose, if Gibraltar is kept, that Spain should have the two

\* “Parliamentary History,” xxiii. 309.

Floridas or Minorca, but I should wish if possible to get rid of Gibraltar, and to have as much possession in the West Indies as possible; for it has been my wish ever since peace has been on the carpet to get rid of ideal advantages, for those that by a good administration may prove solid ones to this country.

“ Minorca I should not willingly give up, because if Port Mahon was made a free port, it might draw again into our hands the Mediterranean trade. One unpleasant addition to the great difficulties which arise from these propositions, is the enabling the Dukes of Richmond and Grafton, and the Lords Camden and Keppel, as also General Conway, to fight the whole treaties over again, and to form fresh cabals; I also dread that delays may give time for France to receive accounts from the East Indies, which cannot but add to her demands.

“ This letter is less explicit than I wish to be, but the difficulties increase so much, whichever way we turn, that I think it necessary to conclude with just adding that I think peace highly necessary to this country, but shall not think it complete, if we retain Gibraltar, but am not ready to chalk out anything more on so sudden and I own unexpected propositions.”

In conformity with the wishes of the King, the

\* The King to Shelburne, Dec 11th, 1782.

two Floridas were offered to Spain. "You will perhaps ask me," wrote Rayneval to Vergennes, "how it is possible to reconcile the character I gave you of Lord Shelburne with his conduct relative to the equivalent for Gibraltar. I have already given you the key to it in my former despatches, but the course pursued by the American plenipotentiaries has contributed in a most essential degree to the present position, and both Lord Grantham and Lord Shelburne have understood their advantage. The unfortunate news of the signature of their treaty unbeknown to us has occasioned the increase of the equivalent demanded for Gibraltar. Had Lord Shelburne refused to ask it, the Cabinet, if appearances are to be trusted would have decided on the rupture of the negotiations." \*

Dominica the English Cabinet absolutely refused to surrender; they also rejected the demands made by the Dutch Plenipotentiaries, and offered in their place the renewal of the Treaties subsisting with the Republic at the time of the rupture, and a restitution of all the places taken from them in the war except Trincomalee. The determination of the Cabinet on these points was announced in a despatch from Grantham to Fitzherbert† while Shelburne, feeling that as the King said, the chances of peace "began

\* Rayneval to Vergennes, Dec 17th, 1782

† Grantham to Fitzherbert, Dec 18th, 20th, 1782

to look desperate," \* wrote in the following terms to the English Envoy :—

“The subject of Lord Grantham’s courier is too serious for me, to suffer him to go without adding a few words to his despatch. He will have assured you of the matter of fact, that the restoration of Dominique was essentially combined with the Spanish Peace in our propositions. I may tell you in confidence, that it was myself who made the proposition to Council. I can with equal truth assure you that every person present understood it so.

“M. de Rayneval must do me the justice to say, I explained it to him in that light, as soon as I saw him afterwards; and yesterday we proceeded without hesitation upon his intimation that our offer was accepted, to explain ourselves on other matters; which we certainly should not have done, if we had conjectured that so essential a part of our offer was misunderstood. Lord Grantham will explain to you every other particular, likewise all the official reasoning, upon which I can only add, that it is not the reasoning of party, nor of popular prejudice, but the conviction in reference to all our commerce and Navy, that the object in question can never materially affect France, but must *decide* on all *our* possessions in those parts.

“The matter will therefore stand thus. In the

\* The King to Shelburne, Dec. 14th, 1782.

one case, the whole peace may be considered *ipso facto* as concluded; the magnanimity and justice of H. M. C. Majesty will be acknowledged through the whole of the negotiation; the positions established by the Count de Vergennes at the commencement of the treaty will be adopted; every good consequence will be to be expected, notwithstanding what we must naturally feel from the loss of the grand source of our wealth, industry and power in this peace; good humour, confidence and unanimity, will result; so far, at least, as regards this great business. In the case of Dominique being insisted on, the Spanish Peace will be to be reconsidered, the terms altered, the time and issue made uncertain, the whole made doubtful; and distrust, suspicion, regret, and division arise.”\*

On the English terms becoming known in France, great differences of opinion at once made themselves felt. The King, acting under the influence of his own benevolent nature, and Vergennes accepting the inevitable, now that he was deserted by his American allies, united to urge Spain and Holland to desist from their unreasonable pretensions. Louis XVI., according to Fitzherbert, was convinced during every stage of the negotiation, how great an obstacle the cession of Gibraltar would prove in the way of a pacification, and it was through his intervention

Shelburne to Fitzherbert, Dec. 20th, 1782.

that the King of Spain now made up his mind to accept the Floridas as an equivalent. The Dutch withdrew from their demand of a preliminary recognition by England of the principles of the Armed Neutrality, and the negotiation was started on the basis of the restitution by England of all her territorial conquests, with the exception of either Trincomalee or Negapatam, and of the decision by the Courts of Admiralty of the legality of all the captures made.

Hardly however were the difficulties with Spain and Holland removed, before fresh difficulties arose with France, where the war party insisted that Dominica should be demanded, and in the event of a refusal by England, that the war should be continued. After a sharp struggle they carried the day, and an ultimatum in that sense was sent to England.† It found many of the English Ministers in an unbending humour. Richmond and Keppel were openly for continuing the war, and it was only by the strenuous efforts of Shelburne and Grantham, that a majority of the Cabinet was got to resolve that England should offer to cede Tobago in exchange for Dominica. Fitzherbert was also

\* Fitzherbert to Grantham, 17th, 18th, 19th Dec., 1782. Grantham to Fitzherbert, 18th Dec, 1782. *Projet de Préliminaires entre la Grande-Bretagne et les Etats-Généraux.*

† Secret Report laid before the King in Council; Paris, Dec. 24th, 1782.

instructed to insist on the retention of either Negapatam or Demerara and Essequibo in the Dutch negotiation, if he could not get Trincomalee. If France would not accept these terms, he was immediately to leave Paris.\* Neither Richmond nor Keppel attended the Cabinet when this decision was finally arrived at, and their resignation was now only a question of days.

The alternative of peace and war was thus clearly placed before the French King and his advisers. The decision for a long time hung in the balance, and only after a fierce discussion were the views of Vergennes and Rayneval, the latter of whom had hurried back to France, preferred to those of Castries and the war party. In the end the offer of Tobago was accepted by France, and Dominica remained with England. Trincomalee was however abandoned to the Dutch, while Negapatam was retained. It was further agreed that, as owing to existing Acts of Parliament, no definite settlement of the commercial questions pending between the two countries could be come to immediately, Commissioners should be appointed to inquire into the question, with directions to report within a competent term.† The fishery question was settled in the manner proposed by

\* The King to Shelburne, Jan. 4th, 1783. English Ultimatum, Jan. 1783. Rayneval to Vergennes, Dec. 25th, 1782.

† Fitzherbert to Shelburne, 15th, 19th Jan. 1783.

Fitzherbert to Vergennes. Rayneval during his second visit to England had proposed a form of declaration to be attached to the treaty, but Grantham objected to it, as not marking with sufficient clearness, that the concession to France was not to be "exclusive" in character,\* and he drew up another form of declaration, which Fitzherbert proposed to Vergennes. After a long debate, in the course of which M. de Vergennes insisted most strenuously but in vain, for the insertion of the word *exclusive*, the Declaration was made to stand in the shape in which it may be read attached to the Definitive Treaty; the English Government undertaking to see that the French fishermen should not be molested in their occupation.†

\* "I find great pains have been taken to avoid mistaking the fishery as exclusive, and the third article is cautiously worded for that purpose. However, it is very desirable that it should be left entirely out, and that the French should be contented with as strong assurances of not being molested as can be given in the King's name." (Grantham to Fitzherbert, Nov. 23rd.)

† As this question is still a subject of dispute, the three forms of Declaration mentioned above are here appended *in extenso*

Form of clause proposed by Rayneval, 15th Nov. 1782:—

"Les pêcheurs français jouiront de la pêche qui leur est assignée par l'article précédent, comme ils ont eu droit d'en jouir en vertu du Traité d'Utrecht et Sa Majesté Britannique s'engage à empêcher ses sujets, par les ordres les plus positifs, d'interrompre ni de gêner, de quelque façon que ce soit, les pêcheurs français.

All difficulties were now removed, and on the 20th of January, 1783, the Preliminary Articles of peace between England and France, and England and Spain were signed. A truce was at the same time settled between England and the States-General. It was high time. The war party in France was still powerful, and kept on pointing to the enormous armaments which professed to be ready to start in the spring to attack the West Indies. Lafayette, "that vain and insolent young man," as Fitzherbert termed him, went about fanning the waning flames of ill-will between the two countries. For some time past he had been attempting to get sent on some kind of mission to the English Court, in

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Bien entendu qu'il ne sera point permis à ceux-ci d'hiverner sur l'Isle de Terre-Neuve."

Form of declaration to be attached to the clause as it now stands in the Treaty, proposed by Lord Grantham, Jan. 1783 :—

"Pour que les Pêcheurs des deux nations ne fassent pas naître des querelles journalières, Sa Majesté prendra les mesures les plus positives pour prévenir *les enterprises de ses sujets au préjudice de ceux de la France qui pêcheront sur les côtes qui sont assignées à ceux-ci*, et fera retirer les Etablissemens sédentaires qui s'y seront formés"

The form of declaration agreed upon by Mr. Fitzherbert and M. Vergennes, Jan. 18th, 1783, is the same as the above; except that in the place of the words in italics, the following words are inserted : "que ses sujets ne troublent, en aucune manière, par leur concurrence, la pêche des François, pendant l'exercice temporaire qui leur est accordé, sur les côtes de l'Isle de Terre-Neuve."

order, as he said, to have the satisfaction of braving George III., by appearing before him at Court in an American uniform.\* Benjamin Vaughan, who persisted in remaining in Paris, and seemed to imagine he was clothed with some kind of diplomatic character, was causing general suspicion of the intentions of the English Government. "I know a gentleman," said Oswald writing to Shelburne, "and he is not entirely unknown to your Lordship, of that happy vein, that if he is not employed, will officiously thrust himself into employment; and if he is not invited into the boat will step in at once, without waiting for an invitation."† Franklin, impelled by his vindictive hatred of the Loyalists, was still threatening to bring forward new clauses before the signature of the Final Treaty.‡ "Mr. Adams, Mr. Jay, and Mr. Laurens," so Mr. Fitzherbert informed Shelburne "have little or no communication with Versailles, and not only distrust, but are strongly distrusted by that Court; but the fourth, Dr. Franklin keeps up (though perhaps in a less degree than formerly) his connection with the French Minister, and on that account and on account of the private animosity and resentment which he still entertains against England,

\* Fitzherbert to Shelburne, 18th Dec. 1782; 15th, 19th Jan. 1783.

† Oswald to Shelburne, 8th Jan. 1783.

‡ Fitzherbert to Shelburne, 9th Feb. 1783.

he prevents his colleagues, on whom (though they rather fear than are attached to him) he has great influence, from inserting in their joint letters to the American Congress such representations of matters on their side as would lead the latter to abandon the close and intimate connection which they have formed with the Court of Versailles, and place a due degree of confidence in Great Britain. In regard to the three other Commissioners, I know but little of Messrs. Adams and Laurens, but I must say in justice to Mr. Jay that he has always appeared to me to judge with much candour and consistency of the true interests and policy of his country as considered in relation to the three Powers of Europe, being convinced that the assistance afforded to America by such of them as are leagued against England, had originated not from any motive of good will towards the former country but from enmity to us, and that therefore she was under no obligation to support them at present, (her own peace being settled,) in the prosecution of their quarrel, any otherwise that is to say than as she is strictly bound by the letter of her treaty with France. Though from the difference of the views and opinions of some of his colleagues, Mr. Jay has not had in his power to enforce these sentiments in the public letter which he has written conjointly with them, on the present occasion of the signature of the Provincial Treaty, to

their committents in America, I have great reason to think that he has stated them very strongly in his individual capacity to several of the leading members of the Congress.\*

To all these alarms, suspicions and intrigues, a term was now definitely put, and Oswald and Fitzherbert at once began to turn their attention to the preliminary discussion of the commercial treaties with France and the United States. "You will already," so Shelburne, in alluding to the cession of the Backlands of Canada and of Senegal, wrote to Morellet, "have recognized in the treaties of peace, the great principle of free trade, which inspires them from beginning to end. I have no hesitation in saying that in my own opinion, a peace is good in the exact proportion that it recognizes that principle." \* It was in this spirit that Fitzherbert and Oswald entered on their new labours. A sudden and unforeseen end soon unfortunately put a termination to them. To understand how this happened, it is necessary to return to the troubled waters of English party politics.

\* Shelburne to Morellet, 13 March, 1783.

## NOTE.

*The Maine Boundary* —Only two maps of any real importance exist in England bearing upon the celebrated question of the Maine boundary :

(1 ) A map by Mitchell of 1753, marked by a clear broad red line; and on that line is written, "Boundary as described by Mr. Oswald." In alluding to this map during the debates of 1843, Sir Robert Peel is *reported* to have made the extraordinary blunder of describing it "as following the claim of the United States;" viz. that the North-west angle of Nova Scotia was between the head waters of the Metis and the Restigouche. (Hansard 134, p. 1249.) The map on the contrary places the north-west angle at the head of the Madawaska Lake, then known as Lake Medousa. What Sir Robert Peel probably did say was, that the map did not support the English claim. The important point to settle in regard to this map is. does it represent the boundary agreed upon by Oswald before or after the first arrival of Mr. Strachey in Paris? This can be at once settled by referring to the other parts of the boundary line, the whole of which is indicated upon this map. It will then be at once seen that the map includes all the alterations of Mr. Strachey, and was consequently made after his arrival.

(2.) A map of 1755 by Mitchell in the Record Office, and *described in the Catalogue as the map used by Mr. Oswald*. This is the map referred to by Lord Palmerston; "as the red-lined map showing the boundary to be such as we claimed it," (Hansard 134, p. 1194,) and the duplicate of which he sarcastically suggested that Mr. Webster had in his possession, but would not produce. This map was found in 1841, by Mr. Lemon, but there is nothing on the map itself, nor does any documentary evidence exist, to support the statement in the Catalogue, which rests upon the *ipse dixit* of Mr. Lemon. The "red line" is very faint, and the geographers who were consulted on the age of it, were divided in their opinion. The map has not got the rest of the boundary between the two countries indicated

upon it. (See Mr. Hobhouse's letter to Mr. Addington, 18th May, 1842, and the opinions of Mr. Arrowsmith, Mr. Wylde, and others, at the Record Office.) It may then be asked what was the district described by Strachey in his despatch of Nov. the 8th, as won back by his efforts? Evidently the strip of land between the St. John and the St. Croix for Oswald had originally proposed the former river as the eastern boundary (see his despatch to Townshend, 7th Oct. 1782), while Strachey obtained the St. Croix. (See his despatch to Townshend, 8th Nov. 1782)

In the "Observations" of Mr. Featherstonhaugh on the Ashburton Treaty, much stress is laid on a map existing in the French Archives, and having on it a red line drawn in conformity with the English claim. Mr. Featherstonhaugh considered that this was undoubtedly the map mentioned by Franklin in a letter of December 2nd, 1782, and printed in his works, as that on which the treaty line had by him been drawn. The English Government of the day caused an inquiry to be set on foot in Paris on the subject, but the conclusion they arrived at was not in keeping with the views of Mr. Featherstonhaugh. "There is not on this map," says Sir Henry Bulwer, "any writing signifying why it was thus marked, nor do I know of any clue thereto, except the letter of Dr. Franklin, quoted by Mr. Featherstonhaugh, should be considered to furnish such. But I should remark that there is no reference, as would be usually made in such cases by the Record Keepers on Dr. Franklin's letters, referring to the map, and consequently there is no chain of evidence nor anything beyond conjecture or probability connecting the one with the other" (Sir Henry Bulwer to Lord Cowley, May 3rd, 1843, with the certificate of M. Barbié du Bocage, of the French "Archives.")

Had the merits of the case not been obscured by national jealousies, little or no difficulty need ever have arisen in determining the position of the North-west angle of Nova Scotia, as understood in 1782. A real difficulty, however, would have arisen from the projection of the map by Mitchell, which described the country in dispute, being entirely incorrect. While the English and American Commissioners in 1782 were under the impression that a

line drawn due north from the source of the river St Croix would touch the Highlands near the source of the Madawaska, it appeared, when the country was properly surveyed, that such a line would touch them between the headwaters of the Metis and the Restigouche. There would consequently have been a hopeless conflict between the map and the terms of the treaty.

## CHAPTER VII.

## THE COALITION.

1783.

*Ξυνώμοσαν γὰρ, ὄντες ἔχθιστοι τὸ πρὶν,  
πῦρ καὶ θάλασσα, καὶ τὰ πίστ' ἐδειξάτην  
φθείροντε τὸν δύστηνον Ἀργείων στρατόν.*

*Æsch. Agamemnon, 650-653.*

WHILE the Administration of Shelburne had been negotiating abroad, it had not been idle at home. Fresh difficulties had arisen in Ireland. In the autumn of 1782, Lord Mansfield gave judgment in the Court of King's Bench on an outstanding Irish case, which some time before had been brought before him, previous to the passing of the recent legislation, and a cry at once arose in Dublin that the country was betrayed. The absurdity of the grievance was almost self-evident; for as no more writs of error could be issued, the English Courts would in future be clearly unable to decide on Irish cases. The storm none the less grew, and Lord Temple was interrupted in the midst of his labours for the

establishment of the new order of the Knights of St. Patrick, by the complaints of the Patriots; Mr. Grenville had to rush over to England to consult with the English Government, while Townshend,\* in order to humour the susceptibilities of Flood and his friends, who had in reality only stirred the question to gain a cheap popularity at the expense of Grattan, introduced a Bill formally renouncing the claim of England to legislate for Ireland and confirming the independence of the Irish Courts of Justice.†

The course of economy, of which Burke's Act‡ was the first instalment, had been vigorously pushed on by Shelburne, and the reforms which he had already begun in the Treasury, he intended to carry into the other Departments. The task was not easy. "The Reform of 1782," says Lord Shelburne in an unfinished memorandum he has left on the subject "stood under every possible disadvantage, so that it is next to incredible that anything material could have been effected within the time, considering, 1. That *the Court* was averse to it from a variety of motives, and no one man in Administration or Opposition was in earnest in the support of any

\* 23 G. III. c. 28.

† Temple to Townshend, 20th Nov. 1782. Autobiography of Grafton. "Courts and Cabinets," i. 118-140.

‡ 22 G. III c. 82.

and economy of which on account of its pressing importance and magnitude, required attention in the first instance. 4. *The negotiations of Peace.* 5. *The terms of the Civil List Act*, which had been drawn up by men totally unacquainted with Office, who rather wanted to make believe than to do anything effectual, and who from change of position and a variety of motives, wished nothing so little as to see justice done to the principles which they had professed in Opposition

“It is not too much to say that the whole of the above rested upon one person, which appears by the little which has been done in that line since. However a considerable beginning was then made notwithstanding all these disadvantages which may be seen by referring to (1.) The General Principles established by the Board of Treasury as applicable to all Offices of Public Expenditure. (2.) The Reform of Particular Offices.

## I.

### GENERAL PRINCIPLES.

#### *Abolition of Fees, and Simplification of Salaries.*

“The funding of fees was never intended to be a permanent, but a temporary measure to secure an impartial examination, which could never be obtained as long as they contributed to the emolu-

ment of particular persons. Nine out of ten are not only paid by Government, but are made to operate against Government, and what remain are often unjust and oppressive upon individuals, if not illegal.

“As to the simplification of salaries. Fees are out of the question. Nothing can be so absurd as one office scrambling a few hundred pounds from another, under the notion that the Civil List and the Public are different interests, or that somewhat is to be drawn from Ireland or the India Company by these means.

“*Limitation of Incidents, and particularly Stationery.*—The abuses under the head of Incidents, are best seen by the Bills, which were called for by the Treasury in 1782 from *all* the offices. It went to the very ridicule of abuse ; particularly the stationery, under which head several articles of household furniture were had in many instances through the medium of patents ; each article paying 40 per cent. tax to the Usher of the Exchequer, besides the enormous profits of the patentee.

“*Prohibition of Pluralities, Sinecures, and Patents.*—The names speak the abuse of each. As to pluralities, what could be so absurd as to find Mr. ——— clerk in the Treasury, and Secretary of State’s Office ; Mr. Pointz clerk in the Treasury and *acting* Deputy Pay Master in America at the same

time? As for patents, what can be so inconsistent with every principle of economy, as to have the *right* of supplying several offices with stationery for ever, sold at public auction, and bought like a freehold estate, to be let out afterwards by the owner to the highest bidder, or in other instances granted for one, two or three lives?

*“Publicity on all matters of Expenditure or Judicature, except Secret Service.—*It has been found by experience that this is the grand principle of economy, and the only method of preventing abuses; far better than oaths or any other checks, which have been devised. Instead therefore of oaths of secrecy, there should be an obligation to *print* at the end of the year every expenditure and every contract, except in cases of Secret Service, which may be subjected to checks of another nature.

## II.

### *Reform of Particular Offices.*

“In 1782 when the change of Ministry took place, there was not literally a single office in the Kingdom which was not worn out with corruption, relaxation, and intrigue. All the Executive Offices were sold to the enemy, by inferior persons in each department. The particulars of Admiral Barrington’s instructions were communicated to the enemy, within an hour after they had been issued from the Cabinet. The

trials in Hampshire and several examinations which remain in the Secretary's Office sufficiently prove the corruption which prevailed in them

"The Revenue Offices knew no such thing as control or order. It was a general scramble. There was not a *commis* of any consequence, who had not a line of his own distinct from his principal, and a correspondence of his own to support it. Stockjobbing pervaded the whole to such a degree that a broker was actually lodged in the Treasury for the purpose of more speedily acting upon intelligence on its arrival.

"The best means were adopted, of which the time would admit, to stop the immediate effects of this state of things, and to lay the foundation at the same time of a permanent reform.

"Mr. Gilbert was appointed to examine every Department under the Civil List, of what reform it was susceptible, in consequence of which the whole of it was newly regulated and simplified. The King's expenses were for the first time brought within his income, a regular mode of accommodating was chalked out from the highest to the lowest, and a saving in the establishment to the amount of nearly 100,000*l.* a year, besides indemnifications for fees and other profits, so as not to leave a single ostensible complainant except one Captain Wolseley, who was out of the kingdom at the time.

“Sir William Musgrave was appointed to examine the state of the Customs, both the office and administration of the customs, and Mr. Stiles, who was a clerk, was made secretary with the same view.

“Mr. Brooksbank was appointed to do the same as to the Excise, and to look out a proper person to be secretary; Mr. Rose to examine the incidents of all the offices, and to see a proper distribution of business among the clerks of the Treasury.

“The American claims in Lord North and Lord Rockingham’s time, were left to the discretion of the Minister, and the decisions of course were the consequence of influence more than of justice. A commission was now established of *two* persons\* of the most respectable fortune and character, unconnected with ministry, who would accept no salary and undertook to examine *publicly* the several claims, and decide upon the justice of each claim, without any communication whatever with Administration.

“A commission of the like sort was established to examine into the state of the Crown Lands, the Woods, and Forests.† This was undertaken likewise by two gentlemen of the same description with the former, with no salary, who proceeded likewise independently of Administration, to inquire into and rectify numberless abuses, which had prevailed in

\* Mr. Wilmot and Mr. Parker Coke.

† Mr. McCall and Mr. ——— (name illegible).

this administration, to the prejudice of the Crown and the retardment of agriculture, and to prepare plans, the object of which would have been to have suppressed several offices, which instead of preserving woods, etc., are so absurdly constituted as to profit by the destruction of them. These plans would have gone to make a revenue out of what is now an expense, and to bring into cultivation *immense* tracts of land, which now lye waste for want of regulation, and to have laid the foundation of a nursery of timber, proportionable to the demand in all times of the Royal Navy.

“ Another commission was instituted of two singularly capable men to enquire into the Mint,\* and the general state of every part of the coinage with a view to regulate the same in a manner which might facilitate commerce and the communications with other countries, who produced a very capital reform on this subject.

“ Enquiry was made into the abuses of the post, and the foundation laid of the plan which has since taken place on the Bath Road, besides other improvements tending to increase the revenue, and improve the service and facilitate the means of communication.

“ A most pernicious custom prevailed for a number of years, as unconstitutional as it was inconvenient,

\* Mr. Garbett and his son.

in regard to the service of the Navy. Under the pretence of it being impossible to foresee and consequently make an estimate of the expenses of the year, so that they might be voted like the other services, it became customary to exceed without scruple the grants of Parliament for this service, and supply the want of money by granting bills for the several articles they purchased. Every person selling hemp, iron, or any other article had three calculations to make: 1st, the price of the commodity, 2nd, the interest of money, 3rd, the time of payment which was always uncertain. Add to this that these bills became immediately a public stock, and necessarily a still greater source for gambling, intrigue and speculation than even the other funds. All this was traced to the bottom. Different statements were prepared of it, to show the frightful price which was sooner or later paid by Government for every article, and the pernicious consequences of it, in order to abolish for ever so slovenly a resource.

“Four Acts of Parliament were prepared for the Better Regulation of the Police.

“It was also proposed to adopt a new mode in regard to the public loans, by opening a new fund at the real price of money, instead of adding to the capital without end, which renders all idea of redemption vain. This has been partly executed since by paying last year's portion of Navy bills by a

5 per cent. fund. To set forward a plan of *conversion* by which the holders of 3 per cents., and 4 per cents. may be induced by a small premium to change their stock to 5 per cents. with a view to redemption; after regulating and simplifying the taxes, so as to *produce* a sinking fund; to secure the *application* of it by means of public trustees, or some other means which shall make it truly sacred, independent even of Parliament; to open trade upon the most liberal principles, and revise all the laws relative to it, and to take up a system in regard to Foreign affairs, suited to the interests of Great Britain with regard to all the other powers of Europe, and without regard to former prejudices.

“When Secretary of State, Lord Shelburne obtained an Act to prevent certain offices in the Plantations being executed by Deputy, or granted for life. These were previously certain offices in each of the islands, and all other plantations, which produced from 1000*l.* to 3000*l.* a year, and were always given to the children or near relations of Secretaries of State (the younger sons of Lord Egremont, Lord Sackville &c., hold such now to a considerable extent), and have them executed by deputies, who rent them to a very great amount. After this Act no such office can be so granted.”\*

\* Lansdowne House MSS. The Act is 22 G. III. c. 75.

It was not to be expected that these reforms would take place without exciting great opposition. The cry of parsimony and cheese-paring, of sacrificing efficiency to economy, and of favouritism, were at once raised. Of this abuse Burke made himself the mouthpiece in Parliament. "He himself," he said, "had aimed only at the destruction of Parliamentary influence, and of sinecures for Parliamentary men; but the Ministers had aimed their blows at poor inferior officers of twenty, thirty, and forty pounds a year, which was all their dependence and support, after a life of service, for themselves and their families." \* Outside Parliament, Walpole, who was directly affected by the reforms of the Stationery Office, joined his voice to that of Burke; † while Shelburne himself added to the indignation of many by declaring that his own views on the necessity of Parliamentary reform, were entirely unaltered, and that he looked forward to adding one hundred members to the County Representation. ‡

Thus by the time that the Preliminary Articles of Peace were signed, Shelburne had raised up to himself a numerous body of enemies, and it was an open question which would be most dangerous to

\* "Parliamentary History," xxiii. 263.

† Walpole, "Journals," ii. 557. "Letters," viii. 264.

‡ Shelburne to Pepper Arden, and the latter to Shelburne, 11th, 25th, 29th Oct. 1783 "Parliamentary History," xxiii. 218.

him, the field of home or of foreign politics. The responsibility for the recent reforms was fixed upon him, nor did he shrink from it. They were, he himself states, "his own unassisted work."\* The peace negotiations, it was known, had been mainly conducted by him. On him accordingly, as he probably foresaw, the storm broke, and unlike former Ministers he had not a party in the true acceptation of that word, with which to combat it. He gloried on the contrary in not having a party; but meanwhile he was almost in danger of not having a ministry. Keppel resigned; Richmond ceased to attend the Cabinet; Lord Carlisle gave up the office of Lord Steward; Grafton threatened to resign, considering that sufficient deference was not paid to his opinion; Camden declared that the ship was sinking, and desired to quit it; Temple was discontented at not being made a duke.† Such a condition of affairs was naturally tempting to those who sat in the cold shade of Opposition.

In the latter part of the month of December mutual overtures had been made by the friends of North and Fox, to bring these two leaders together, for the purpose of overthrowing the Government and dividing the spoils of office.

\* Lansdowne House MSS.

† Autobiography of Grafton. The King to Shelburne, Jan. 4th, 1783. Walpole, "Journals," ii. 582.

Considering the extraordinary violence of the language habitually indulged in by Fox during the past seven years against North, it might have been thought that any endeavours to form a coalition between them, would have been but labour lost. Not a year was gone by since he had apostrophised the Administration of his rival in the following terms: "From the moment," he said, "when I shall make any terms with one of them, I will rest satisfied to be called the most infamous of mankind. I would not for an instant think of a coalition with men who in every public and private transaction as ministers, have shown themselves void of every principle of honour and honesty. In the hands of such men I would not trust my honour even for a minute." Only six months before he had stated that in his opinion so utterly detestable was the character of Shelburne, that he was even capable of coalescing with North,\* and he had more than once asserted that the latter deserved to be impeached for high crimes and misdemeanours committed against the State. Yet when the prizes of office rose in view, the high crimes, the misdemeanours, the want of common honour and honesty of North were alike forgotten by Fox, the idea entertained by Rockingham in 1780 was revived, and the negotiation for a Coalition begun by Richard Fitzpatrick and William

\* 5 March, 1783.

Eden, and nurtured by Loughborough, soon assumed a hopeful aspect.

Their plan was no secret, and Shelburne seeing his Cabinet threatened in this unexpected manner, and weakened by the discontent of some of his colleagues and the resignation of others, was obliged to consider what means he could take to weather the coming storm.

A coalition with North, was open to the same objections in his own case, as in that of Fox. It might however be possible, without offering office to him or to his principal friends, to obtain from them a degree of support sufficient to carry a vote on the Peace through Parliament. The idea however did not find favour with the Ministry as a whole ; but Dundas who had pressed the idea, communicated it on his own account to William Adam, a personal friend of North, telling him however, that the support given must be explicit and unconditional, a proposition which the less scrupulous mind of Temple considered stamped with the "vanity and personal arrogance" of Shelburne, as he believed that North would have done what was wished upon terms of immediate provision for his friends.\*

\* "Memorials of Fox," ii. 32. Autobiography of Grafton. "Courts and Cabinets," i. 301. For a discussion of this point, the evidence on which is not quite clear, see Sir G. C. Lewis's "Administrations of Great Britain," p. 57, note.

This attempt having failed, Shelburne next obtained the King's leave to form a junction with Fox and those of his friends who had left the Administration in July, and an interview in consequence took place between the latter and Pitt. Fox, who a few days previously, had told Grafton that he and his friends were immovable on the necessity of the Cabinet proposing the head of the Treasury, at once asked Pitt if it was intended that Lord Shelburne should occupy that post? Pitt replied that it was. "It is impossible for me," Fox rejoined, "to belong to any Administration of which Lord Shelburne is the head." "Then we need discuss the matter no further," said Pitt, "I did not come here to betray Lord Shelburne;" and with these words he ended what is said to have been his last private interview with Fox \*

"I am not in the least surprised," the King wrote, "at Mr. Pitt's interview having ended as abruptly as the hastiness and impoliteness of Mr Fox naturally led me to expect; I shall certainly not object to any other quarter Lord Shelburne may with the advice of Mr. Pitt choose to sound; but must insist that Lord Shelburne's remaining in his present situation be the basis of any plan that may be prepared for my inspection. By this clear instruction Lord Shel-

\* Autobiography of Grafton. "Courts and Cabinets," 202. Giffard, "Life of Pitt," i. 49.

burne must feel himself at liberty to act as he may find it necessary, and I can trust his own sentiments are too much exalted to think of supplicating any party; but that whoever he treats with must be expected to feel obliged for any offer that is made.”\*

Shelburne on receiving this letter fell back upon the idea of gaining support from the friends of North. To this Grafton strongly objected, and taking umbrage at the same time at the bestowal of a seat in the Cabinet on the Duke of Rutland, a friend of Pitt, recently appointed Lord Steward, as well as at the refusal of some small pieces of private patronage, which he had solicited for his friends, announced his intention of shortly resigning the Privy Seal, being determined not to abet Lord Shelburne's views “of becoming Prime Minister, and being determined never to consider him but as holding the principal office in the Cabinet.”†

Shelburne now sent for Dundas. On the latter entering the room he asked “whether he had ever heard the story of the Duke of Perth.” Dundas answered “No.” Shelburne then said, “The Duke of Perth had a country neighbour and friend, who came to him one morning with a white cockade in his hat.

\* The King to Shelburne, Feb. 11th, 1783.

† Autobiography of Grafton. Shelburne to Grafton, Feb 1783.

‘What is the meaning of this?’ said the Duke. ‘I wish to show your Grace,’ replied his country friend, ‘that I am resolved to follow your fortunes.’ The Duke snatched the hat from his head, took the cockade out of it, and threw it into the fire, saying, ‘My situation and duty compel me to take this line, but that is no reason why you should ruin yourself and your family.’ I find,” he continued, “that it will now be necessary for me to quit the Government; and as you are beloved by all parties, I wished you to have early notice of it, that you might be prepared for what must happen. Fox and the Duke of Portland will make up a Government with Pitt, for I cannot hear of Pitt’s high notions of not taking part in any Government where I am not one. He shall not think of resigning with me. Lady Shelburne is so distressed that I cannot think of remaining longer in this situation; and having worked the great work of peace, I am not desirous to remain;” and he ended by expressing his own belief that a junction would take place between Pitt and Fox, to the exclusion of North. This conversation was at once reported by Dundas to Adam, in the hope that it would frighten North into giving some support to the Government. It had precisely the opposite effect, as might have been expected, for Fox could not offer less to North than Shelburne had proposed, or than Pitt was ready to give. “It was your communica-

tion," said Rigby to Adam, "that put an end to everything." \*

An interview had meanwhile taken place between Fox and North, at which it was formally agreed that they should forget their former differences, and coalesce in order to overthrow the Government. They agreed to make the reform of parliament an open question, and to join in opposing the Address on the Peace which was about to be moved. With the latter object North drew up an amendment to be moved by Lord John Cavendish. To some overtures for support made by Rigby to North on behalf of Shelburne, North replied, "It is too late." †

The Address upon the Peace was studiously moderate in tone. "We agreed," says the Duke of Grafton, "that no triumphant words could be carried, or ought to be proposed." The debate upon it took place in both Houses on the 17th of February, when it at once appeared that the coalition was an established fact. Lord Pembroke and Lord Carmarthen were the mover and seconder in the House of Lords; Mr. Thomas Pitt and Mr. Wilberforce in the House of Commons. The amendments moved respectively by Lord Carlisle and Lord John Cavendish, were

\* "Memorials of Fox," ii. 21, 33—39. "Buckingham Papers," i. 158, 301. "Tomline's Life of Pitt," i. 88.

† Stanhope, "Life of Pitt," i. 95, 96.

cleverly drawn so as to engage Parliament to confirm the peace, but asking time to consider ; in other words refusing to approve them.\*

The chief supporters of the amendment in the House of Lords were Lord Townshend, Lord Stormont, Lord Sackville, Lord Walsingham, Lord Keppel and Lord Loughborough. Against them were ranged the Duke of Grafton, Lord Grantham, Lord Howe, the successor of Lord Keppel at the Admiralty, Lord Shelburne and the Chancellor. The Duke of Richmond expressed himself dissatisfied with the Preliminaries, but refused to vote against them ; Lord Gower adopted a similar course.

The principal points selected for attack in the American Treaty, were the boundary line between the two countries throughout its whole length, the clause relating to the fisheries, and the alleged neglect of the Loyalists ; in the French and Spanish Treaties hardly a clause except that relating to Minorca remained unchallenged. The national interests, it was declared, had been entirely abandoned ; the fleet it was alleged, especially by Keppel, had never been in so efficient a condition, and the glorious recollections of 1763 were evoked to put to shame the negotiators and the Ministers of 1782, who it was further asserted had no right to sign the treaty without consulting Parliament. The condition of the

\* Walpole, "Journals," ii. 582.

finances of the country was too prosaic a subject to be deemed worthy of much attention by the excited critics of the day.

The debate in the House of Lords continued till a very early hour of the following morning. Late at night Shelburne rose to reply to the objections which had been urged against the treaty. He began by dwelling on the difficulty of the position at the moment he was called to the head of affairs, and pointed out how numerous and intricate the questions were which he had had to consider; on all these questions he had sought the best advice, and consulted those persons whose opinions were generally regarded as authoritative. As to the cession of the back lands of Canada, he showed that considering the small annual value of their exports and imports, it was preposterous to argue that their loss would ruin the trade of England, while it should be recollected that the best fur districts were in the country which was retained, and that the preservation of the English monopoly in those countries had cost no less than 750,000*l.* a year. "What then," he said, "is the result of this part of the treaty? Why this: you have given America, with whom every call under heaven urges you to stand on the footing of brethren, a share in a trade, the monopoly of which you sordidly preserved to yourselves, at the loss of the enormous sum of 750,000*l.* Monopolies, some way or other, are ever

justly punished. They forbid rivalry, and rivalry is of the very essence of the well-being of trade. This seems to be the æra of Protestantism in trade. All Europe appears enlightened, and eager to throw off the vile shackles of oppressive and ignorant monopoly; that unmanly and illiberal principle, which is at once ungenerous and deceitful. A few interested Canadian merchants may complain; for merchants always love monopoly, without taking a moment's time to think whether it is for their interest or not. I avow that monopoly is always unwise; but if there is any nation under heaven which ought to be the first to reject monopoly, it is the English. Situated as we are between the old world and the new, and between southern and northern Europe, all we ought to covet upon earth is free trade, and fair equality. With more industry, with more enterprise, with more capital than any trading nation upon earth, it ought to be our constant cry, let every market be open, let us meet our rivals fairly, and we ask no more."

On the question of the Loyalists, Shelburne appealed to his own past conduct, as a proof that he was not likely to have neglected these interests. Lord Sackville, he said, had declared his belief that the recommendation of Congress on their behalf would prove of no avail; but the word "recommendation," was that which Congress had always used to the

Provincial Assemblies in all their measures relating to money and men. It was difficult from the nature of the Constitution of the United States, to procure more than a recommendation. It might also be fairly asked which of the two styles of language was most likely to assist the Loyalists: the style of the Address which declared the confidence of Parliament in the good intentions of the Congress, or of those orators who declared that recommendation to be worth nothing. In reply to the questions; "Why have you given America the freedom of fishing in all your creeks and harbours, and especially on the banks of Newfoundland, and why have you not stipulated for a reciprocity of fishing in the American harbours and creeks;" he showed that for the first season it would have been impossible to exclude the American fishermen, while in the second there would be plenty of room for both parties, and no necessity for the English fishermen to feel hampered by the presence of those of the United States. The same reply could be given on the question of the concessions made to France, which had the additional merit of being the best means of preventing the eternal bickerings of the fishermen of the two countries.

The cession of the two Floridas, like that of the back lands of Canada, he defended, by the test of imports and exports. These amounted to 220,000*l*.

a year, a sum not worth contending for, at the hazard of continuing the war. The cession of Tobago, it had been said, would be the ruin of the English cotton manufacture. He replied that the English cotton manufacture had been great before Tobago was an English possession, while the islands restored to England were just as well adapted to the cultivation of cotton as Tobago. The cession of St. Lucia and the clause relating to Dunkirk were, he said, mourned over as fatal, when considered from a naval and military standpoint; but the opinion of Admiral Rodney could be quoted to the effect that Dominica was more than the equal of St. Lucia for those purposes; while the authority of Admiral Hawke, and there was no higher authority, would be quoted to show that all the art and cost which France could bestow on the harbour of Dunkirk, would not render it formidable to England. France, as Lord Grantham had already observed, wished to have the feathers she had formerly strutted in restored to her, and no sober man would continue the war to thwart a fancy so little detrimental. The cession of Senegal, he observed, had been declared to be as fatal to the gum trade as that of Tobago to the cotton trade. The objection breathed the spirit of the old colonial system: "By this article of the treaty," he said, "we secure as much as we ever had secured, a share in the gum trade, and we are not

under the necessity we formerly were of making that coast a grave for our fellow-subjects, thousands of whom were annually devoted to destruction from the unhealthiness of the climate, by means of our jealousy, which sent them there to watch an article of trade which in vain we endeavoured to monopolise."

The distracted state of the British dominions in India, and the condition of the affairs of the Company were the justification for the concessions made in that quarter of the globe. The troops were four months in arrear of their pay; the credit of the Company was at the lowest ebb; there were drafts unpaid to the amount of 1,400,000*l.*, and there were others to the amount of 240,000*l.* coming home. The ancient enemy of England, M. de Bussy, was leaving France in the decline of life almost at the age of eighty for the sole purpose of forming alliances. The Mahrattas were still hostile; the forces sent out against Hyder Ali were in daily dread of being starved to death. In such a condition of affairs concession was unavoidable, and neither in India nor elsewhere did he deny that concessions had been made; the question however was whether those concessions could have been avoided, and the answer depended on the condition of the finances, and of the naval and military resources of the country. In his opinion peace even at the cost of some sacrifices

was necessary, "On an entire view of our affairs," he said summing up his argument, "is there any sensible man in the kingdom that will not say that the powerful confederacy with which we had to contend had not the most decided superiority over us? Had we one taxable article that was not already taxed to the utmost extent? Were we not 197 millions in debt? and had we not the enormous sum of 25 millions unfunded? Our Navy bills bearing an enormous discount; our public credit beginning to totter; our commerce day by day becoming worse; our army reduced, and in want of 30,000 men to make up its establishments; our navy, which has been made so much the boast of some men, in such a condition, that the noble Viscount, now at the head of the profession, in giving a description of it, strove to conceal its weakness by speaking low, as if he wished to keep it from going abroad into the world. But in such a day as this it must be told; your Lordships must be told what were the difficulties which the King's Ministers had to encounter in the course of the last campaign. Your Lordships must be told how many sleepless nights I have spent; how many weary hours of watching and distress. What have been my anxieties for New York? What have I suffered from the apprehension of an attack on that garrison, which, if attacked, must have fallen! What have I suffered from the apprehension

of an attack on Nova Scotia or Newfoundland ! The folly, or the want of enterprise of our enemies, alone protected those places ; for had they gone there instead of to Hudson's Bay, they must have fallen. What have I suffered for the West Indies, where, with all our superiority of navy, we were not able to take one active or offensive measure for want of troops ; and where, if an attack had been made where it was meditated, we were liable to lose our most valuable possessions ! How many sleepless nights have I not suffered for our possessions in the East Indies, where our distresses were indescribable ! How many sleepless nights did I not suffer on account of our campaign in Europe, where, with all our boasted navy, we had only one fleet with which to accomplish various objects ! That navy the noble Viscount was fair to own, was well conducted. Its detachment to the North Seas, to intimidate the Dutch, was a happy and a seasonable stroke ; but the salvation of the Baltic fleet was not at all to be ascribed to ability ; accident contributed to that event ; accident contributed to more than one article of our naval triumphs. How many of our ships were unclean ? The noble Viscount has told us the case of the fleet with which he was sent to the relief of Gibraltar. He could hardly venture to swim home in the Victory. How many of our ships were in fact undermanned ? Did the House know this ? Did

they know that our naval stores were exhausted, that our cordage was rotten, that our magazines were in a very low condition, and that we had no prospect of our navy being much better in the next campaign than it was in the present? Does the House know all this? The noble Lord is offended at my directing myself to him.\* I have no idea of imputing blame to the noble Lord. His abilities are unquestioned; but when the greatness of the navy is made not only a boast, but an argument, it is fair to examine the fact. Are not these things so, and are not these things to be taken into the account, before Ministers are condemned for giving peace to the country? Let the man who will answer me these questions fairly, tell me how, in such circumstances, he would make a peace, before he lets his tongue loose against those treaties, the ratification of which has caused so many anxious days and sleepless nights. It is easy for any bungler to pull down the fairest fabric, but is that a reason, my Lords, he should censure the skill of the architect who reared it? But I fear I trespass, my Lords, on your patience too long. The subject was near my heart and you will pardon me, if I have been earnest in laying before your Lordships, our embarrassments, our difficulties, our views and our reasons for what we have done. I submit them to you with confidence, and

\* Lord Keppel.

rely on the nobleness of your natures, that in judging of men who have hazarded so much for their country, you will not be guided by prejudice, nor influenced by party." \*

The debate concluded with a legal battle between Loughborough and Thurlow, on the right of the Crown to sign a treaty ceding national territory, without the previous consent of Parliament. The speech of Thurlow upon this occasion is generally considered to have settled the question in the affirmative.

At half-past four in the morning the House divided on the question, "that the words proposed to be omitted stand part of the address." The Contents and proxies were 72, the not Contents and proxies were 59. There was consequently a majority for the Address of 13. It was observed that of the Bench of Bishops only thirteen were present, and only seven voted for the Ministry. Their consistency may however be admired in not desiring to associate their names with the conclusion of a war which they had done so much to excite and embitter.

The event in the House of Commons was different. There Lord John Cavendish's amendment was carried by 224 to 208, and the Coalition triumphed.

\* The Debate in the House of Lords on the Address on the Preliminary Articles of Peace is to be found in the "Parliamentary History," xxiii. 373-435; that in the Commons, xxiii. 436-498.

Next day there were reports that Shelburne was about instantly to resign, and men began at once to write the epitaph of the fallen Minister. "Lord Shelburne," said Johnson, "is a man of coarse manners, but a man of abilities and information. I don't say he is a man I would set at the head of a nation, though perhaps he may be as good as the next Prime Minister that comes; but he is a man to be at the head of a club—I don't say *our Club*—for there's no such Club." "But," said Boswell, "was he not a factious man?" "O yes Sir," replied Johnson, "as factious a fellow as could be found; one who was for sacking us all into the mob." "How then Sir," said Boswell, "did he get into favour with the King?" "Because Sir," replied Johnson, "I suppose he promised the King to do whatever the King pleased."\*

Some said he intended to dissolve Parliament; nor were there wanting numerous advisers of such a course.† Considering the great success which attended the dissolution of the same Parliament by Pitt in the following year, it might seem as if a dissolution would have been the best policy. The circumstances, were not however exactly the same, as however unpopular the Coalition already was, it had not yet had full time to show that

\* Boswell's "Johnson," v. 54.

† Walpole, II. 586; and many private letters at Lansdowne House.

the genius of violence and faction which had presided over its birth, was also to inspire and direct its maturer counsels. Nor was Shelburne Pitt. The popularity of the latter was in no small degree owing to the fact that he stood totally unconnected with the quarrels of the past twenty years; quarrels of which the country was grown weary and disgusted. The nation, in 1784, was inclined to throw itself into the arms of any man of sufficient ability and purity of character who it was believed would open a new era. The feeling was akin to that which in other countries has led to the loss of parliamentary institutions, when the latter have been made the instruments of sordid intrigues and personal ambitions. The history of England from 1760 to 1782 had been the record of the struggle between the Court and the great Whig Houses, and of the internal jealousies of the latter. Of all this the nation was weary, and although Shelburne following the example of Chatham had attempted to form an Administration which was to be the slave neither of the King nor of the Whigs, he had been too much personally identified with the turmoil, the strife, and the political anarchy of the past twenty years to have the same hold on the public as Pitt. There was yet another reason why a dissolution in 1783 would have been a dangerous experiment. The peace for the moment was not popular; a scapegoat was desired, and Shelburne

was the scapegoat. It had been easy to denounce the war; it was now equally easy to denounce the peace, and the passions of the hour had been worked with the utmost skill by the Whig pamphleteers, for whom no misrepresentation was too gross, no slander too base, so long as it served the object of blackening the character of their former ally in Opposition. The virulence of their language may be gathered from the fact that a scurrilous publication by Dennis O'Brien, entitled "A Defence of Lord Shelburne," was popularly attributed to Burke or Sheridan.\* As Thurlow observed with bitter irony during the debate in the House of Lords, "When the Opposition apprehended that the difficult task of making peace would fall upon themselves, then our condition was painted in all, and perhaps in more than its real gloom; and their Lordships were depressed and tortured with the accounts which were given of our navy, and our resources. Then any peace, it was declared, would be a good one. A peace for a year even, nay for a month, for a day, was coveted. Anything that would just give us breathing time, and serve to break the dangerous confederacy against us, would be a prosperous event. But when the grievous task was shifted to others, how did the language differ! The navy grew as it

\* Walpole, "Journals," ii. 570, 581. Wiazall's "Posthumous Memoirs," i. 230.

were by magic. The resources of the State became immense. The condition of the country flourishing ; and the Ministry were to be tried by the strictest and most rigid law."

Such were the considerations which probably induced Shelburne not to dissolve Parliament. The end was now not far off. On the 20th Grafton resigned the Privy Seal, giving as his reason that he had not been sufficiently consulted, especially with reference to the recent appointment of the Duke of Rutland to the office of Lord Steward with a seat in the Cabinet.\* The same day Shelburne had a long interview with Camden, who advised him to retire at once, "as unfortunately it plainly appeared that the personal dislike was too strong for him to attempt to stem it, with any hope of credit to himself, advantage to the King, or benefit to the country ; that he had it in his power, to retire now with credit, and the approbation of the world ; for whatever the arts and powers of the united parties had expressed by votes in Parliament, still the nation felt themselves obliged to him for having put an end to such a war, by a peace which exceeded the expectations of all moderate, fair judging men." Camden further advised Shelburne to advise the King to send for Portland, or if he did not resign himself, to try to coalesce with North.

Shelburne next saw Pitt. The following day

\* Autobiography of Grafton.

Lord John Cavendish was to bring forward a second motion, which, with sublime indifference to the declaration of its predecessor, that the House had not yet had time to examine the preliminaries and therefore could not applaud them, proposed to censure them in the lump, without even calling for papers. "Such a gross indecorum," says Walpole, "was perhaps occasioned by the desire of saving Lord North from any retrospect the neglect of which they could not justify if they went into articles against Lord Shelburne." \* The result of the interview between Shelburne and Pitt seems to have been that they should await the debate on the Resolutions; and that if Pitt saw that the result must be adverse, he should announce the resignation of Shelburne.

Their decision was based to a considerable extent on an idea that the King had been hitherto playing them false, and now regretted it. The division list of the House of Commons might consequently in some instances be altered, and as a few votes would turn the scale, the Resolutions of Lord John Cavendish might be thrown out. In the previous division Jenkinson had voted for the Address, but had not been followed by all the members who were supposed to know his real mind,

\* Walpole, "Journals," ii. 586. Nicholls, "Recollections and Reflections during the Reign of George III.," p 51.

and the members of the household, it was supposed with the consent of the King, had expressed disapprobation of the peace.\* The suspicions of Shelburne were thereby aroused, and were still further increased on receiving a letter from Mr. Orde, Secretary to the Treasury, running as follows : †—

“I cannot help troubling your Lordship with this hasty line merely to communicate a conversation I have just had with Mr. Hatsell, ‡ to whom I had gone for information on the subject of the division of Monday.

“He observed to me, that he would not ask about your Lordship’s intentions, but he would merely in confidential talk with me throw out his own idea and firm belief, that the question of stability or downfall to your Administration depends solely (as your Lordship has always said) upon the *Highest*. It is not the difference of the peace. It is his will. Lord Guildford is notoriously liable to his influence in a complete degree—and Lord North is not less so to Lord Guildford’s. That it would therefore be only necessary to represent to the King that the matter solely depended upon him ; that if he was solicitous to continue the Government in the present hands, he should speak to Lord Guildford and to

\* Walpole, “Journals,” ii. 587.

† Thomas Orde to Lord Shelburne, 21st Feb. 1783.

‡ Clerk of the House of Commons.

such others, as will be moved by the certainty of his interference; such as Sir G. Osborne &c. &c.; that it would not answer to take any power yourself to treat, for experience had formerly shown, that nothing less than the King's earnest co-operation and immediate address could do. If he declines this, it should be taken as an infallible evidence of his *indifference*, at least about the event, and of course your Lordship would consider whether it would be comfortable, creditable, or safe, to continue efforts in his service under such disadvantage.

"I must own, that this opinion, though not meant to be conveyed to your Lordship, and without the most distinct intimation from me, that I designed to do so, so entirely coincides with my own, and which I in part took the liberty of opening to your Lordship this morning, that I cannot help writing it, as soon as I have got back to the Treasury.

"I am convinced, that it would be of the first consequence to know the King's mind upon this, before the debate of to-morrow, upon which the fate of all must rest. I am sure your Lordship will excuse my earnestness, which all arises from anxious attachment to you without the smallest concern about my office."

The King himself was loud in his protestations of friendship, but his Minister remained convinced that he was playing a double game, and he ever

afterwards declared that the Court had tricked and deserted him. George III. he said had one art beyond any man he had ever known; "for that by the familiarity of his intercourse, he obtained your confidence, procured from you your opinion of different public characters, and then availed himself of this knowledge to sow dissension." \*

Whatever the conduct of the King himself may have been, it must be recollected that the position of the King's friends in Parliament was widely different in 1783 from what it had previously been. Some had been affected in purse, others more in their future prospects, all in public estimation, by the recent reforms. Of these they knew Shelburne to have been the inspiring genius, whatever his Whig calumniators might say to the contrary. The opportunity of revenge was now come. They sent to ask the price of their support, and received the uncompromising reply that the peace must obtain the unbought approbation of Parliament or none at all.† After this their part was taken, and when Lord John Cavendish brought forward his resolutions, it soon became known what the result of the division was to be. Late in the evening Pitt rose to reply, and before he sat down the result of his recent interview

\* Nicholls, "Recollections and Reflections," i. 389. "Memoirs of Fox," i. 479; ii. 65.

† Rutt's "Life of Priestley," i. 206.

with Shelburne appeared. After a masterly defence of the treaties, he said alluding to Fox :—

“The honourable gentleman who spoke last has declared with that sort of consistency that marks his conduct, ‘because he is prevented from prosecuting the noble Lord in the blue ribbon to the satisfaction of public justice, he will heartily embrace him as his friend.’ So readily does he reconcile extremes, and love the man whom he wishes to prosecute! With the same spirit, Sir, I suppose he will cherish this peace too because he abhors it. But I will not hesitate to surmise, from the obvious complexion of this night’s debate that it originates rather in an inclination to force the Earl of Shelburne from the Treasury, than in any real conviction that Ministers deserve censure for the concessions they have made : concessions which, from the facts I have enumerated and the reasoning I have stated as arising from these facts, are the obvious result of an absolute necessity, and imputable, not so much to those of whom the present Cabinet is composed, as to that Cabinet of which the noble Lord in the blue ribbon was a member. This noble Earl like every other person eminent for ability, and acting in the first department of a great State, is undoubtedly an object of envy to some, as well as of admiration to others. The obloquy to which his capacity and situation have raised him has been created and circulated with

equal meanness and address: but his merits are as much above my panegyric, as the arts, to which he owes his defamation, are beneath my attention. When stripped of his power and emoluments, he once more descends to private life without the invidious appendages of place; men will see him through a different medium, and perceive in him qualities which richly entitle him to their esteem. That official superiority which at present irritates their feelings, and that capacity of conferring good offices on those he prefers, which all men are fond of possessing, will not then be any obstacle to their making an impartial estimate of his character. But notwithstanding a sincere predilection for this nobleman, whom I am bound by every tie to treat with sentiments of deference and regard, I am far from wishing him retained in power against the public approbation; and if his removal can be innocently effected, if he can be compelled to resign without entailing all those mischiefs which seem to be involved in the resolution now moved, great as his zeal for his country is, powerful as his abilities are, and earnest and assiduous as his endeavours have been to rescue the British Empire from the difficulties that oppress her, I am persuaded he will retire, firm in the dignity of his own mind, conscious of his having contributed to the public advantage, and if not attended with the fulsome plaudits of a mob,

possessed of that substantial and permanent satisfaction which arises from the habitual approbation of an upright mind. I know him well : and dismiss him from the confidence of his sovereign, and the business of the State when you please, to this transcendant consolation he has a title, which no accident can invalidate or affect. It is the glorious reward of doing well, of acting an honest and honourable part. By the difficulties he encountered on his accepting the reins of government, by the reduced situation in which he found the state of the nation, and by the perpetual turbulence of those who thought his elevation effected at their own expense, he has certainly earned it dearly : and with such a solid understanding, and so much goodness of heart as stamp his character, he is in no danger of losing it. Nothing can be a stronger proof that his enemies are eager to traduce, than the frivolous grounds on which they accuse him. An action, which reflects a lustre on his attention to the claims of merit,\* has yet been improved into a fault in his conduct. A right honourable gentleman who has exhausted his strength in the service of the State, and to whose years and infirmities his absence from the Parliament can only be attributed, owes to the friendship and interference of the noble Earl a pension, which however adequate to all his necessities

\* Alluding to the pension granted to Colonel Barré.

Government 190, Opposition 207. On receiving the intelligence of the result the King at once wrote to Shelburne:—

“I cannot help writing, on coming home and receiving Mr. Secretary Townshend’s note with the list of speakers and the numbers of the division this morning, just to express that I am sorry that it has been my lot to reign in the most profligate age, and when the most unnatural coalition seems to have taken place, which can but add confusion and distraction among a too-much-divided nation.

“Lord Shelburne’s letter, containing the sentiments of the gentlemen in high office in the House of Commons on the unnatural and factious coalition of adverse parties to my present Ministry, gives me great concern, though after the event of last night it does not surprise me. Had my immediate presence been necessary, I should have instantly set out for town; but as I think it proper Lord Shelburne should have seen all the effective Cabinet Counsellors before he speaks fully to me, there cannot be the smallest necessity for my coming till Monday. Lord Shelburne has my consent to communicate to the Boards and any others he thinks proper on this subject; Mr. Pitt and Mr. Townshend may state what they have to say to me on that day, as well as the Duke of Rutland; the Chancellor and Lord Camden should also come and deliver any opinion

that occurs to them, for I shall certainly not take the smallest step, till I have heard all the Cabinet. It is unpleasant to be again, indeed from necessity, left to extricate myself, to the assistance of Divine Providence, and that fortitude, which a rectitude of intentions always produces and I must again depend on. Of one thing I can answer that no difficulties shall drive me to throw myself into the hands of any party, and that a coalition of the best of all parties, not the narrow line of one can prevent anarchy." \*

On the 23rd Shelburne called a Cabinet, and in the evening a larger assembly of his own friends. To both meetings he declared his resolution of resigning, which on the following day he accordingly did ; recommending the King to send for Mr. Pitt. This advice the King instantly followed. "Our friends," writes Mr. Pitt to his mother the following day, "are eager for our going on, only without Lord Shelburne, and are sanguine in the expectation of success, Lord Shelburne himself warmly so." † After sounding the ground however, he was obliged to inform the King, that the task was as hopeless for him as for Shelburne.

"Every argument I could think of," writes the King to the latter, "I employed to actuate Mr. Pitt to take the step which would undoubtedly do him

\* The King to Shelburne, 22nd Feb 1783.

† Pitt to Lady Chatham, 24th Feb 1783.

credit; and on reflecting since, I am clear I could not add any more; yet nothing could get him to depart from the ground he took, that nothing less than a moral certainty of a majority in the House of Commons could make him undertake the task; for that it would be dishonourable not to succeed if attempted; all I could obtain was that he should again try, but as fixed a declaration that if he cannot meet with what he thinks certainty, he shall decline. I have therefore directed the Chancellor to attend after the drawing-room, to see, if he declines what is the next best step, for I can never think of putting myself into the chains of a desperate faction”\*

While the King was engaged in searching for a Minister, Pitt decided with the concurrence of Shelburne, to push on the Bill which proposed to regulate the commercial intercourse with the United States. The measure was one of obvious urgency, and was framed in concurrence with the liberal principles which had actuated Jay and Oswald in their conversations on the subject at Paris. It relieved the commerce between the United States and England of the burden of the Navigation Acts. The introduction of it however was the signal for opposition from the Whigs, nor was it able to make any material progress.† Meanwhile no success had attended the

\* The King to Shelburne, Feb. 27th, 1783.

† “Parliamentary History,” xxiii. 640, 724. Lindsay: “History of Merchant Shipping,” ii. 346.

endeavours of the King to form a Ministry. "It is no fault of mine," he wrote to Shelburne, "that no leader in the House of Commons is yet appointed; the laying myself at the feet of any party is a step I can never stoop to; want of zeal has till now prevented others, but I am not without hopes soon to be able to name a proper one." \*

In this dilemma the King on March the 9th, after seeking advice in various quarters,† summoned Lord Ashburton, for whom he had conceived a strong regard during the short period of their official connection. Of their interview Lord Ashburton has left an account. The King began by giving a short sketch of his relations with his various Ministers since his accession, in order to prove that he had himself acted fairly throughout; he then proceeded to more recent events.‡ He said he had pleasure in understanding the people had so far recovered their senses, that there was but one opinion about the thankless combination which had given success to the disappointment at the peace. His servants however having declared that in consequence of the votes of the House of Commons, the business of government could no longer go on in their hands, he had thought it necessary to see his

\* The King to Shelburne, March 6th, 1783.

† "Life of Lord Kenyon," by the Hon. G. T. Kenyon, p. 99.

‡ See vol. i. p. 374.

whole Cabinet; he had been sorry to find that none of them had anything to suggest by which the coalition, (on which he bestowed many harsh epithets), could be resisted; being however determined to resist, he had thought it necessary to inform himself whether it had gone the length reported. With this view he had sent and spoken to Lord Guildford, who expressed his disappointment in the strongest terms; but believed it had not gone so far as to bind Lord North; on which point he was desired to inform himself, and if it proved the case to send to Lord North. Late next day he had heard from Lord North, but being then on his way to St. James's, he appointed and in consequence saw Lord North at 8 or 9 o'clock in the evening. He received Lord North with studied *hauteur*, expressed his surprise at his conduct, and asked him, "Whether he saw any real objection to the peace?" "To the French and Spanish certainly none, but to the American." Upon which he said Lord North must know "American independence was a thing he could ill bear, but that he must like it when he knew that no better could be expected, after what had passed in the House of Commons; with which, if anybody was to be reproached, it was his new associates." He reminded him upon this occasion of what was known before he quitted his office; for Lord North, he said, before the meeting of the House of Commons, had told him they could not go

on; that the war could not be supported without heavy taxes on the necessities of life; and that people of all classes were so little inclined to submit to new burdens, or indeed government of any sort, that a peace was absolutely necessary. As Lord North had thereby not only agreed to, but recommended a change of Administration, he had not expected opposition from him. He had also, he added, been to Lord North after his resignation, and received from him an explicit assurance of his and his friends' support of the measures of Administration, qualified by no other exception than that of any attempt to change the Constitution. Lord North agreeing that peace could not be avoided, expressed his dissatisfaction with the boundary line; "upon which," said the King, "I reminded him of a transaction between him, Lord Dunmore, Lord Hillsborough, and Lord Carlisle, with David Barclay, in which they were told the Americans would insist on that line; and I asked him whether he thought it possible after their subsequent successes, and what had passed in December, to prevail with them to recede from what they had so strenuously insisted on so long before?" Then he mentioned the Loyalists. "Could he think that I meant to abandon men who had suffered by their attachment to the Constitution?" "Did he think it wise to continue a war for this purpose; now at any rate?" He answered by an estimate of the expenses necessary to continue the war.

Since then, so the King went on to Lord Ashburton, he had nothing to do with Lord North, but he had sent for and seen the Chancellor, who though he agreed in the propriety of resisting the combination, had nothing instead to suggest, and told him he had had a conversation with Lord Mansfield, who thought that all sober-minded people would set their faces against it. Upon which the Chancellor asked, "where the sober-minded people were to be found : " and added, "sober-minded people before they set themselves to crush one Administration should have another to put in its place." He had thought it necessary to see Lord Mansfield, but found him broken and helpless ; he expressed his general dislike of the combination, said that it was never out of his head, and that he cried all day long over his situation ; but that he saw nothing was to be done, except to give way to the Parliament, which could not be resisted. "I observed to him," said the King, "that I understood the coalition met with little concurrence from his friends, and advised him to consult them, which he promised to do, and he afterwards assured me that he conversed with some few of his friends, who were of opinion nothing could be done, but what he had proposed. Pitt said this was so different to his usual manner, which was bold enough where the subject was what other people should do, and when nothing was to be done by himself, that I considered him as an old woman who could

be of no use to me. In the interview with the Lord Chancellor, Lord Gower's name had been mentioned as one whose detestation of the coalition was likely to incline him to step forth. I saw him; he seemed inclined, if another Administration could be formed; and he suggested Mr. Thomas Pitt, if he could be prevailed on. I desired him to apply to Mr. Thomas Pitt or Mr. Thomas anybody. Afterwards he let me know that he had not been able to find a proper channel of communication with Mr. Thomas Pitt. I proposed to send to him myself; but it ended in his proposing to go to him. He told me afterwards he had seen Mr. Thomas Pitt, who declined, but recommended giving way to the coalition people, to fill the efficient offices, and take such measures as they thought right, but not to allow them to dispose of honours of any sort; nor to expect any support from the Court. The idea I found was that such an Administration could not last a month, and as well for that reason as that I could not reconcile myself in point of morality, I declined it. Being told Mr. Thomas Pitt had put his ideas in writing, I desired to see them. Lord Gower brought the paper to me, but thought he had no authority to part with a copy. I desired he would get leave to make a copy. Mr. Jenkinson's name having been mentioned, I was afraid that old prejudice might revive; at any rate a name less connected with party would be much preferable; in case such a name should occur to him, I

chose to see him. From Lord Gower I learnt that he had refused to join Lord North in opposing the peace, that he had dissuaded Lord North from the measure, and that the friends who had lately been consulted were, Mr. Edmund Burke, Mr. Keene, Mr. Charles Townshend and Mr. George North; in short the people who were to profit by the intended coalition. He told me too that the Duke of Richmond was very much against it”

After thus describing what had passed, the King suddenly said: “I have been thinking of a measure which it is my determination to use, if nothing better can be done. It is to go to the House of Lords, and to deliver a speech which, without assistance or communication anywhere, I have composed. It purports, that by most interested and selfish views of some men, and the want of zeal or public spirit of others, I found myself unable to make up an Administration, in place of the one whose demerit was the making a peace which the state of public affairs had rendered necessary, comprehending the Courts of France and Spain; asks your advice, and declares it to be my unalterable resolution, never to consent to such a change of councils, so obtruded on me.” “I conceive,” writes Lord Ashburton, “that it was meant to convey the idea which he owned very fully in conversation, that if an Administration was to be so formed, it must be settled with his son. I represented to him the hopelessness of the measure,

as there were none very much inclined to support it in the House ; said I preferred a minister to a speech. If he could get anybody to take it up, I recommended leaving out the intemperate part at the conclusion of what he had prepared to take as an unexampled step. He urged repeatedly his wish to find some name in the House of Commons less unpopular than Townshend and the Lord Advocate ; none occurring to me, he mentioned Thomas Pitt. I thought him a wrong-headed man. He said the Chancellor appeared to be inclined to give way, but that he would send for Lord Gower again, and try what could be done with him, together with the Lord Advocate. If he declined he thought of the Duke of Northumberland."

"On March 26th," Lord Ashburton continues, "I received a note informing me that the Chancellor was to call on me in his way to London, and desiring me to come to the Queen's house where I had seen him. The Chancellor called soon after 11 to learn from me how the numbers were to be made up, which could carry measures through, and said he understood from the King that I could explain it to him, and that the King was much encouraged by what Mr. Pitt had said to him. I told him I had undertaken no such part ; that all I had said, was that Lord Gower, Mr. Townshend, and the Lord Advocate, appeared to me a band to

stand out upon, in the hope that numbers would follow, when a standard was raised ; and if not, no harm was done. He said if he saw a man of force in the House of Commons, and had a board of his own, he would offer himself ; but did not know any one else that would ; that he had advised the King, seeing no more bright proposals, to send to Lord North, Mr. Fox etc., and to Lord Loughborough, as a man who would keep a sort of middle line. At half-past twelve I found the King had not misunderstood me, nor misrepresented me ;\* but on the contrary had told the Chancellor that I had disclaimed to him any knowledge of numbers ; that the Chancellor had left him to see the Lord Advocate at breakfast, and to call on me to talk with me about what could be done ; that he had himself seen Lord Gower, who declined, and Mr. Jenkinson, who was ready to act as he should direct ; that if he should listen to the Chancellor's advice, he would have Lord Weymouth present at the conversation, and the terms, whatever they might be, to be proposed to Lord North reduced to writing ; he lamented the situation in which he was struggling, and inclined to run all hazards with Thomas or William Pitt, who was more concerned in the quarrel ; as if encouraging Mr. Fox to fight. I meant to

\* This interview is mentioned in the " Courts and Cabinets," i. 209.

observe what Lord Shelburne represented this evening.

“On the 30th of March I received a note desiring me to come to the Queen’s house, as I had not understood a hint he had given me at the levee that he wished to see me there. The King read to me the letters that had passed between himself, Lord North, and the Duke of Portland, and latterly Mr. Pitt, and gave a verbal narrative of so much of the transaction, as was necessary to correct and explain. The history was in substance that he had had a species of negotiation with Lord North and the Duke of Portland. He had had the precaution to *write* to Lord North to be convinced of the Duke of Portland and his friends’ desires; and said when they would send again to him, he would mark his agreement or disagreement of the whole or any part. The Duke came himself and began with observing, that as his Majesty had done him the honour to call for his assistance he had come. He reminded him of the paper, and said the conversation must proceed on the foot of that paper. The Duke complained of the want of confidence, and said that without confidence they could be of no use. He understood however from the Duke and Lord North that he was to be informed what they meant to propose; but that Lord North afterwards resigned the thing, as the Duke would not consent to leave the Seal with the Chancellor, who he had then an

idea had resigned, or leave Lord North the places in the Cabinet he desired. Here it was understood the thing was at an end; as without Lord North and his friends they could not carry on. Afterwards the Duke had agreed to make Lord Stormont President of the Council; and the Duke came and said he had a list of the intended Cabinet to produce. Being pushed he looked at the paper: Lord Stormont, President, Lord Carlisle, Privy Seal, Mr. Fox and Lord North, Secretaries, Duke of Portland, Treasury, Lord Keppel, Admiralty. The King observed he supposed they meant to fill the vacancies, and he wanted to know how they were to be filled, and the other measures of '*imposition*' he was supposed to assent to. He was informed that they did not mean to meddle with his Bedchamber or the charge of the Horse;—that on this he had sent to Mr. Pitt, who seemed to think that he ought not to submit to so unwarrantable a demand, as to agree to acquiesce in whatever measures such a Cabinet would pursue; advised against the making peers, giving life offices as well as titles without knowing to or with whom; and upon this he had conferred with Mr. Pitt privily, and in his presence wrote to the Duke of Portland and to Lord North; that by this he considered Mr. Pitt meant to accept the office; that the next morning he had a note from Mr. Pitt signifying that he thought it requisite before any arrangements

were made, to feel the sense of the House on the Earl of Surrey's motion;\* that he acquiesced in this, trusting that Mr. Pitt would contrive to take the sense of the House, and recommending to him by a note to declare in the course of the debate his resolution to stand forth; that he saw him afterwards at the levee, and he explained this was to be the measure of the day; that he was much disappointed when he heard we had proposed a resolution which had not passed, and still more the next day when Mr. Pitt wrote to him, that it was his final resolution to decline. He desired me to consider what he could do consistently with what he declared to be his final resolution, not to submit to the combination; though Thurlow, he said, had despondingly urged him to it. It was obvious that the last step had increased the difficulties in the way of the measure, had he been inclined to it. I thought there were but three measures to choose out of, to try again for an Administration of his own, to try what could be done with Lord North, or to give way; that if he could not make any use of the two last, it was not impossible, but that a portion of the indecision of which he felt and remembered so much,

\* On the 31st of March Lord Surrey was to move that "a considerable time having elapsed without an Administration responsible for the conduct of public affairs, the interposition of this House on the present alarming crisis, is become necessary."

would procure support to any Administration he could form. Lord Gower and Mr. Thomas Pitt were talked of again.

“About two o’clock I received another summons. The King told me he had seen Lord North with a view to Lord Gower, and had sent the Chancellor a note, who had had Lord Gower with him, but the latter had declined going to Thomas Pitt, and acknowledged now, that he had consented to stand forth, if William Pitt would; and then he, the King, had sent to Thomas Pitt, and had understood from him that he would be in town as soon as he could. He was willing to persuade himself that something would come of this. He desired me to come to him again that evening, as he wished to communicate what might pass and afterwards sent me a note, appointing 8. I went and found that nothing could be made of this; that Thomas Pitt had talked of the necessity of raising large sums which would make those who should do it odious, and thought it was time for his cousin, who alone could save the nation, to step out. The Chancellor was mentioned as likely, if Pitt took the Treasury, to call out the Advocate, Jenkinson, etc. The King desired me to see him. I found him out that night, but saw him the next day; found him averse to the Treasury and to the King’s plan. Lord Temple was then suggested and he proposed to see Lord Gower,

if he would not decline. I urged him again to try Lord North, which he consented to. I had understood in the evening, *imprimis*: that he had written to both Lords with Mr. Pitt, and expected a letter from Lord Temple, but desired to see me at 10 when he should have seen Lord North. I went and found both had failed.” \*

The majority in the House of Commons had meanwhile grown furious.† The King at length saw that he must give way. Shelburne informed him that it was impossible that the country should be any longer left without a Government, and knowing the great value attached by the King to the opinion of Lord Ashburton, sent him a note he had received from the latter to the same effect. The King replied with the following letter, the last he ever addressed to his retiring Minister:—

“Lord Ashburton’s note gives me sincere concern; I have had within these few weeks sufficient proof of the sensibility of his feelings; the cause of my having wished to see him. From my finding, on the coolest reflection, that at an hour when the supplies are not yet found for the navy, army and unfunded debt, a bankruptcy must ensue, if I did not sacrifice myself to the necessities of my people, I have taken the bitter potion of appointing the

\* Lansdowne House MSS.

† “Parliamentary History,” xxiii. 690.

seven Ministers named by the Duke of Portland and Lord North to kiss hands, who are after that to form their plan of arrangements ; I do not mean to grant a single peerage or other mark of favour. Those cannot be called matters that regard the conduct of public affairs, and if they fly out at that, I think torpid as all collectively have seemed, I cannot fail in such a case to meet with support." \*

Thus was formed the Coalition Ministry: the Duke of Portland became First Lord of the Treasury, Lord North and Mr. Fox Secretaries of State, Lord Stormont President of the Council, Lord Carlisle Privy Seal, Lord Keppel First Lord of the Admiralty, Lord John Cavendish Chancellor of the Exchequer. The Great Seal was put in commission, much to the vexation of Lord Loughborough, who had taken an active share in the intrigues which had led to the downfall of the late Administration, and expected to be the successor of Thurlow. Fitzherbert and Oswald were both recalled from Paris, and the Duke of Manchester and Mr. Hartley were appointed to fill their places.

One of Shelburne's last acts before finally retiring was to recommend the King to raise the liberal Bishop of St. Asaph, Dr. Shipley, to the see of Canterbury, vacant by the death of Dr. Cornwallis. He also requested the King as a personal favour

\* The King to Shelburne, April 2nd, 1783.

to make Thomas Townshend a peer, who now accordingly became Lord Sydney.\* For himself he asked nothing Lord Grantham, Sir Joseph Yorke, and the Chancellor received pensions. Against these a great outcry was raised, but it is difficult to understand on what grounds, unless a general condemnation be pronounced upon all pensions. The Chancellor had held the seals since 1778. He was to receive a pension of 2800*l.* a year. A far shorter term of service entitles Lord Chancellors to 5000*l.* a year at the present day. Sir Joseph Yorke had been Ambassador at the Hague since 1752, and Lord Grantham, besides his brief tenure of the Foreign Office had been Ambassador at Madrid for the eight years previous to 1782, and on the declaration of war refused any longer to accept the salary to which he was still legally entitled.† A far shorter term of service entitles a diplomatist of the present day to a pension of 1700*l.*;‡ and the

\* Shelburne to the King, Feb. 1783. Walpole, "Journals," ii. 593.

† See Pitt's speech. "Parliamentary History," xxiii. 589. "Parliamentary History," xxiii. 588-590

‡ 22, 23 Vic. c. 43, s. 7. Walpole ("Journals," ii. 595) states that Lord Grantham already enjoyed another pension of 3000*l.* This however had not been granted to him, but to his father for two lives, many years before, and secured on the Irish establishment. Similarly Fox had inherited the Clerkship of the Pells in Ireland from his father, who in 1757 had received it for three lives. Being attacked on this subject during the debate, he defended this pension "as part of his fortune, no favour to him

amount to be received by Lord Grantham and Sir Joseph Yorke was 2000*l*. To the arguments that these grants of money were contrary to Burke's Bill, which precluded the King from giving any pension larger than 300*l*. a year, the answer was obvious. Burke's Bill had not yet come into operation, and when it did, pensions for diplomatic service were expressly exempted from its operation, while it was acknowledged on all hands that an exception would have to be made in the Act in favour of the person who should fill the high office of Chancellor.\* It is also worth observing that neither the Chancellor nor Sir Joseph Yorke were adherents of Shelburne.

An unexpected piece of patronage at this time came in Shelburne's way. Vergennes expressed a wish to show by any means that lay in his power his sense of the upright and honourable manner in which Shelburne had conducted the negotiation. Shelburne replied that if any favour could be shown to his friend Morellet it would also be a favour to him; as it was to Morellet that he owed the liberal views on commercial affairs and the proper relations between England and France, which could be recognized in the treaties of peace, and

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from the Crown, no boon from his present Majesty, or his Ministers, but a legacy left him by one of his relations." ("Parliamentary History," xxiii. 597.) Lord Grantham could say exactly the same thing.

\* See Pitt's speech, "Parliamentary History," xxiii. p. 589.

were to have entered in a yet more decided shape into the commercial treaties, which he had hoped to negotiate. Morellet accordingly received a pension of four thousand francs per annum on the *Economats* which he enjoyed till the Revolution.\*

Having arranged these matters Shelburne retired into the country, and only once appeared in his place in Parliament during the remainder of the session, when, by previous arrangement with Pitt,† he attacked Lord John Cavendish for abandoning the sinking fund, and for borrowing by increase of capital rather than by increase of interest, and for attaching a lottery to the loan, a species of public gambling, he said, “most dangerous and offensive, which ought to be at once and for ever abolished, because it corrupted the manners of the people.” It appeared from Lord John Cavendish’s own statement that 94,000*l.* had been allotted among the clerks in the different public offices.

The debate on this occasion gave Shelburne an opportunity of vindicating his own recent conduct against the imputations freely levelled at him in the House of Commons by Burke, to the effect that the promises of reform contained in the King’s speech had been made only to delude the public. “With

\* “*Mémoires de Morellet*,” i. 269, 271. Morellet to Shelburne, 27 Jan. 1783.

† Pitt to Shelburne, May 1783. “*Parliamentary History*,” xxiii. 866.

regard to the argument," he said, "that he had lost the confidence of the House of Commons, he did not believe it, but let the House of Commons beware or they would lose his confidence. With regard to himself, he had gone out of office holding up his head higher than those who came in, and he now thanked God that he remained independent of all parties. With regard to the promises in the King's speech, they had begun to be fulfilled; the Custom House Bill, a very essential reform, had been already presented to the House of Commons; other great and essential forms of economy were ripening, and would soon have been matured had he and his friends continued in office. The Admiralty department was, he must own, the least active of any great department, with a view to reform. He declared he meant no attack; but such was the fact. With regard to the question so often put 'Why did not the last Administration make the loan,' the truth was, the loan was to have been brought in the very next week after the resolution upon the peace had passed the House of Commons." \*

This was the last appearance of Shelburne in public for some time. Shortly after he went abroad, after having a long interview with Pitt, before leaving England.† He was joyfully received by his

\* "Parliamentary History," xxiii. 824.

† Orde to Shelburne, Dec. 1783.

old friends on the Continent, from whom he had so long been separated by the war. They however no longer gathered in the *salon* of Mme. Geoffrin, who had died in 1779 from the results of an accident. "Savez-vous," said Morellet, "que son impertinente fille a fermé la porte de sa mère à d'Alembert, à Marmontel, à moi, et à deux ou trois autres hommes de lettres, de ceux qu'on appelle les Encyclopédistes et philosophes, pour s'en faire honneur dans le monde dévot." \* From Paris Shelburne went to Spa accompanied by Morellet. "Me voici," the latter wrote to Vergennes, "auprès de Lord Shelburne. J'ai observé avec plaisir que le regret de n'avoir pu achever d'ouvrage ne prend pas sur le bonheur de sa vie, et puisque les détails qui l'intéressent ne peuvent vous être indifférents, je vous dirai qu'il a un intérieur domestique charmant, parfaitement *calculé*, comme ils disent, pour le bonheur. Il a avec lui deux sœurs de son épouse † et ces trois dames ont tout ce qui peut rendre son intérieur agréable; ajoutez un joli enfant, et vous penserez plus que personne qu'avec des jouissances si douces et si près de soi, on peut se passer d'être Ministre. Ce sont les nations qu'il faut plaindre, lorsqu'elles perdent des hommes faits pour les rendre heureuses." ‡

\* Morellet to Shelburne, 1783.

† Lady Holland and Lady Ossory, sister and sister-in-law of Lady Shelburne.

‡ Morellet to Vergennes, 3rd Sep. 1783.

## CHAPTER VIII.

LORD SHELburnE AND MR. PITT.

1783-1785.

WHILE Shelburne was abroad, popular indignation began to make itself strongly heard against the Coalition, as the conditions of the peace came to be dispassionately considered, and it became known that the new Ministers had no serious intention of trying to modify the terms of the treaty which they had condemned. The King was looked upon as a prisoner in his own palace, while the restoration by Burke of the two defaulting clerks, Powell and Bembridge, to their places at the Treasury, from which Barré had dismissed them, came as a strange commentary on his recent encomiums of his own party, and his denunciation of Shelburne as Borgia and Catiline: epithets which in the public mind would perhaps have been more properly applied to Fox and Sheridan. Everything pointed to a strong current of feeling setting in against the Government.

"The City," Benjamin Vaughan wrote to Shelburne, "will have confidence in none more than in your Lordship. I affirm that your Lordship is held an injured person by the nation at large. Among the great you may have been too neglectful, and to your unpopularity there I have nothing to say."\* From Birmingham Priestley sent to say that the Coalition was most unpopular,† and addresses continued to pour in from counties and towns thanking the King for the peace, which their representatives had condemned.‡

Early in the winter Session of 1783 the celebrated East India Bill of Mr. Fox was brought forward. It proposed to establish a board consisting of seven persons, who should be invested with full powers for four years to appoint and displace officers in India, and to control the whole government of that country. The Coalition indeed had no choice as to dealing with the question. Committees of the House of Commons had sat and reported, and as in the time of Clive, so now in 1783 it became clear that gross oppression and cruelty had accompanied the progress of the English arms. Shelburne had dismissed Sir Elijah Impey from the Chief Justiceship of Bengal, and appointed Sir W. Jones to succeed him. The

\* Vaughan to Shelburne, 1783.

† Orde to Shelburne, Dec. 1783.

‡ Walpole, "Letters," viii. 351.

King's speech in December 1782 had called the attention of Parliament to the necessity of framing some fundamental laws which might make the connection with Great Britain a blessing instead of a curse to India. In April 1783, shortly after the fall of the Ministry, Dundas brought forward a Bill appointing a new Governor General, and giving him full powers to remedy abuses, and authority to overrule his Council. The new Governor General was to be Lord Cornwallis, to whom Shelburne had offered the place in 1782, but who had deferred his accepting till he had ceased to be a prisoner on parole.

The seven Commissioners appointed by Fox's Bill and their eight assistants, were to be appointed by Parliament and to hold office independently of all changes of Administration. From one end of the country to the other an outcry was raised against this proposal. The Whigs in 1782 had the pleasure of realising how great was the power of the representatives of chartered rights, to which they had themselves appealed for party purposes against the proposals of North in 1773.\* It was declared and generally believed that their intention was to appoint seven Whig Commissioners in order to transfer the Government of India from the Crown to Mr. Fox, and the Court, anxious to avail itself of

the popular feeling, resolved upon offering the most desperate opposition to the Bill in both Houses. But although an unexampled crisis in the history of the country was evidently near, Pitt steadily abstained from holding any communication with his former chief; and Shelburne beginning to realise that this must be the result of intention, and still suspecting the King, made up his mind not to intrude on his old colleagues, unless definitely asked for his advice. This intention he communicated to his friend Mr. Orde, late Secretary to the Treasury, whom he looked upon as his representative, in the absence of Barré and Dunning, both of whom were seriously ill.

A week before the second reading of the Bill in the House of Lords, Pitt met Orde, and asked him if Lord Shelburne would attend Parliament, adding that he could see means which, if used, might possibly make the decision in the House of Lords doubtful. "I answered," wrote Mr. Orde to Shelburne, "that you would wish to know the probability of any use in your appearance, consistently with your situation and dignity. He said that he was sensible of the importance, which should alone have weight to influence your Lordship's actions, and added that it would be unbecoming in you to move on any other occasion; but that in the present it would probably be known to you in time for you to decide upon the

steps you should take. I observed to him, that though I should perhaps write to your Lordship, I could not at all communicate any information, because I was ignorant of any, and I gently hinted to him, that I thought you ought to have some more *marked* signification of the measures wished or intended, before an expectation should be formed of your coming forth to take up the line, which was to be the test of your sentiments and support. He nodded assent, but said no more.

“I am astonished at the indecency and folly of neglecting to pay your Lordship the compliment of asking your advice, and of imparting at the same time their ideas of the means and methods of opposing this hardy attempt in Administration to establish themselves in absolute power. I hear very general hopes and wishes expressed, that your Lordship may come up, but it is probable, that you are supposed to be consulted and concerted with upon all measures.

“I shall be impatient to know more of the real state of things, especially of the information your Lordship may have received, and in what manner, and from what quarter, and yet more your opinion and advice upon the conduct to be pursued.”\*

The means, alluded to by Mr. Pitt, as likely to make the decision doubtful, were the personal inter-

\* Orde to Shelburne, 9th, 12th Dec. 1783.

ference of the King. On the 11th of December, Lord Temple obtained leave to say, that whoever voted for the India Bill, was not only not a friend, but would be considered by the King, an enemy. The effect of this unconstitutional commission soon appeared. On the 15th a motion for adjournment was carried against the Ministry by eight votes. It was observed that Shelburne was absent from the division, and the general opinion was that he would in consequence not be included in any new arrangement.\* The following day Orde met Jenkinson. "The event of yesterday in the House of Lords," he wrote to Shelburne, "of course presented itself immediately, and the first observation made by him, was of surprise and concern at your Lordship's absence, which had indeed, he said, appeared extraordinary to many others. He took it for granted that you had received constant and full communication of every material circumstance which had happened, and of the plan, which was thought of, for opposing the dangerous progress of the present Administration. He had heard (upon my seeming to express a doubt of this matter) that Lord Mahon had written to your Lordship, and explained the situation of affairs, which he conceived to have been done at the desire of Mr. Pitt. He went on however to remark, that he should have supposed this com-

\* Lord Cornwallis to Lieut. Col. Ross, December 16th, 1783.

munication to have been also made, and especially upon very delicate points, by Mr. Pitt himself, as he had been so intimately engaged with your Lordship in the former Administration; or perhaps by Mr. Dundas, who was indeed the person, upon whom your Lordship had conferred the most specific obligations. He appeared above all convinced, that the circumstances of the Royal interference must have been made known to you by direction, though he could not pretend to any more authority for this idea than his own supposition. I suffered him to go through with his observations, before I attempted any answer to particular parts of them. I told him when he had finished, that I really could not venture to speak decisively upon the matter of communication, but that I very much doubted, from my own judgment, of your having been so fully informed, as he imagined. I perfectly agreed with him, that it was natural to conclude, you would not only have been informed, but consulted on points of such very material importance, and I could not help adding, that however your Lordship might feel unconcerned at any omission of that sort, I was not myself proof against something more than surprise at such neglect, if I was to believe the fact to be so, which I was greatly inclined to do. As to Lord Mahon's correspondence I had heard of his sending you the Bills with the amendments; but knew nothing of any

further intelligence, which he might have conveyed to you.—I observed to him that I had been much in the country of late, and was not early apprised of the last decisive measures taken by a certain quarter, and therefore had not been able to write to you about it myself, which indeed could after all have been from me only matter of private correspondence; that I did not know of any other channel by which so interesting a communication had been made to you; and I was afraid that perhaps it also had been omitted, because I was convinced that you felt and acknowledged such true respect for that personage, and so sincere a desire of maintaining the *just* weight and consequence of his great place, that you would never have been silently absent upon any proper signification of a wish for your presence and advice.—I owned, that I should be sorry if steps of that magnitude had been taken without any notice to your Lordship, because I was fully persuaded, that your faithful and disinterested attachment deserved a more distinguished attention. I added, that I did not say this from any view to a consequent call to high office; as upon that subject I could not at all form a guess about your Lordship's opinion or wishes, otherwise than from my own observation of the manner, in which you seemed to enjoy the comforts of quiet and domestic life; from which I thought you would not be anxious to remove yourself, but

upon the conviction of being able to do effectual service to the King and to the public. He then took occasion to turn a little back to times past, and while he declared his belief of your real sentiments for the service of His Majesty, to lament an appearance, which you had betrayed, of distrust and suspicion. He could not account for it. He was sure that you had no reason for it. As to himself he had felt a great degree of comfort in all the correspondence he had had with your Lordship; till you had at last suddenly changed your tone with him, and carried your suspicions to such lengths, as plainly showed you had no confidence, not only in him, but in *him* that sent him; that he was certain of your injustice in the one case, and most perfectly persuaded of it in the other; that however, believing this to have been perhaps an accidental burst of temper from circumstances which in your then situation must have arisen at times to disturb and disquiet you as they would have done any man, he had called afterwards at your door, but had not seen you since.—He said, that he was still more hurt at perceiving, that you had given uneasiness to some other persons upon an idea of your suspecting their sincerity, which they felt they did not deserve, and were therefore the more easily wounded.—He again and again most solemnly protested that he firmly believed you to possess the King's confidence; that he

knew it from infallible symptoms; and that he was well assured it was perceived, and perhaps in some instances thought too strong, by certain little beings about the Royal Person; that he is sure there never was any design of breaking good faith with you; that the King had taken decisive steps with regard to him and to Lord North, to whose base and unexpected falling off was to be attributed and not to the insincerity of His Majesty, the defection which ensued; that he had reason to believe, it occasioned very real concern and disappointment indeed to the King, when he perceived that it seemed to require more than his warmest assurances to convince you of his good faith and desire of your continuing services; that he was convinced, there existed in the Royal Mind no conception of any plan, but under your Lordship's management, in possession of confidence and favour.

“It is impossible and it would be tedious for me to repeat what more he said upon the same subject, all tending to an earnest assurance of the King's sincerity to you, while your Lordship was in his service; of his concern and *distress* at your seeming to doubt it; of the confusion, which was brought on, by the unforeseen coalition against your Government, &c. &c.; concluding always with an idea, that some communication must have been made or been desired to have been made to you on the present occasion.”\*

\* Orde to Shelburne, 16th December, 1783.

To this letter Shelburne replied as follows :—

“You may tell Mr. Jenkinson what I have already wrote to you that I have heard from nobody but you and Sir J. Jervis. As to Mr. Baring it is not worth the mention, for it was merely what regarded the Company; since which I have not heard from him, and as to Lord Mahon, I considered his sending me the Bills of so little importance, that I have never answered the very few lines, in which he enclosed the first and last; which I certainly should have done, if I could have conceived that he meant anything like what you mention.

“I have a strong opinion of my own on the India business, which it would be tedious to enter into by letter, and *now* at least of no avail.

“I think between you and me, Mr. Jenkinson might as well let the past alone; especially as I am willing to do so, relying always on the entireness of your friendship, that you will not suffer a shade of imputation to be *lodged* in any conversation, which may be supposed relateable to me, where you know there is no room for it. A renewal of confidence and good humour may make it matter of curiosity, if not of useful information, to tread back that very tender ground, when I shall be very glad to find it correct. In the meantime I consider myself as *bound* to the King by my own expressions and by yours. When I say so, I do not mean it by halves, or in a

pitiful style, which, I count it, would be to indulge suspicion or ombrageousness. Therefore nothing would give me such concern, as to hear of the King inclining to bend directly or indirectly under the language you mention, which can be taken up only in one way, with propriety to himself, or safety to us all. Let what will have been done or omitted, the King's person is and must be sacred.

“It is impossible for me to say more, knowing so little as I do. It remains for others to act their part. I will never be wanting to the King or to men; when I say so I mean it with a round degree of confidence, not by halves, much less to encourage suspicion or ombrageousness.”\*

On the 17th December, the East India Bill was thrown out by a majority of 19. During the whole of the 18th it was expected that the Ministers were resigning, and while things were still in suspense, Dundas came to call upon Orde. “I asked him,” the latter wrote to Shelburne, “if he could inform me either from himself or from Mr. Pitt of your Lordship's motions, as I did imagine that they had written to you, and communicated the real state of affairs, more especially what concerned the probable turn of conduct intended to be held in such circumstances. He told me, that Mr. Pitt had talked with him about writing to your Lordship;

\* Shelburne to Orde, 20th Dec. 1783.

may, that he had written a letter, which however he afterwards burned, as finding it extremely awkward to express himself as he could wish, to you ; being afraid of seeming to call upon you to assist in forming a plan of Administration, at the head of which he was himself to be placed, when he considered the situation your Lordship had held, and under which he had had the honour to be employed. He had therefore thought it best to trust to the effect which accounts sent by your habitual correspondents might have upon your inclination and opinion, and not to run the risk of acting or seeming to act an indelicate part. I observed in my answer, that this appeared to me a very false delicacy, as he did not decline to take the step of moving into your Lordship's situation, and ought to have recollected the very earnest pains, you have taken, when he before had hesitated, to persuade him for the King's sake and the country's to obey the call of his friends. I could not help adding by-the-bye, that I thought his opening then a much more favourable one than that offered at present. I could not however pretend to judge of what ought to have been done, as I knew nothing of what had passed between you since the breaking up of your Administration, and was also ignorant of your expectations or feelings about his writing or not writing ; that I could only ruminate on my own conceptions of propriety, when I called

to mind the manner in which your Lordship had brought Mr. Pitt forward, and had often with pleasure listened to his declarations of attachment to you. I could not help reminding my friend Mr. Dundas himself of the obligations he also owed to your Lordship, which I should have thought a reasonable call upon him too to write to your Lordship, for an opinion at least, upon circumstances of so very singular and important a nature. He assured me, that as to himself, he felt and expressed constantly the obligations he owed to you ; but that it had really not struck him as a proper thing to trouble your Lordship with his letters, when he could communicate nothing more than, he concluded, was conveyed to you by other channels ; that he should be heartily sorry to be thought wanting in any instance of respect or attention to you ; that as to Mr. Pitt, he heard him now constantly using the same declarations of respect, regard, and high opinion, he had always made for your Lordship, your consequence, your friendship, and your eminent abilities ; that he still openly and loudly insisted upon your being the most injured character in this country, and that the time must come when you would have ample justice done you, by those among the first who now refused it to you. He said, that Mr. Pitt had told him the circumstance of your having had a very explicit conversation with him, before you

went abroad, but that he had not given him any hint whatever of the turn or particulars of it; that he therefore could not from thence judge of the understood relation now subsisting between you, or consequently of the footing on which he was to write to you. I assured him, that I was full as ignorant of the nature or matter of your Lordship's conversation with Mr Pitt, as he could possibly be, and I therefore only hazarded the suggestion of my own mind on the idea of the propriety, gratitude and good sense, there would perhaps have been in his applying for advice and direction in so critical a conjuncture; that I must indeed only remark, that he had himself rather seemed to feel the propriety of writing, as he had begun a letter, and I could not therefore suppose it to have been agreed, that you were not to hear any more from him on any change of political situations; that however being in the dark as to information I would not risk any more on the subject than the remaining persuasion, that it would at all events have been more handsome, manly, and wise, to have paid you the compliment of a letter on such an occasion. He may probably impart to Mr. Pitt, what passed between us and I know not any reason, why it should be wished otherwise. I only hope, that your Lordship may think with me upon it.

“He mentioned to me during this part of our

conversation, that the Duke of Rutland had expressed an idea of writing to your Lordship, as his former connection he thought, entitled him to do; that he did not however know whether he had or had not; but he fancied, that he perceived concern both in the Duke and Mr. Pitt at your absence I told him as before that not knowing upon what grounds they expected your appearance, I could say nothing more about the reasonableness of any disappointment, they might have felt. I would however as a final observation express a sincere wish that your Lordship might not prove both the happier and the wiser man in keeping yourself free from other engagements in so melancholy a situation of affairs, and the readiness which I was certain, you would always manifest to give your help to rescue your country from sinking under its distresses. The Speaker says you are the only philosopher in the nation, and he calls Pitt &c., fools indeed, if they have neglected any means of getting your assistance. I should also not have omitted to mention, that Dundas observed, that your Lordship was the only Minister after a very long while, who could boldly challenge any person to charge your Administration with any transaction for which you should not deservedly claim honour from your country." \*

On the 18th late at night, Fox and North re-

\* Orde to Shelburne, 18th Dec. 1783.

ceived directions from the King, to deliver up their seals of office, through their Under Secretaries. The seals were given to Temple, who at once wrote letters dismissing Portland and the other Ministers, while Pitt was charged with the formation of a new Administration. One of the first steps he took was to offer the Secretaryship of the Treasury to Mr. Orde.

"I have seen Mr. Pitt," the latter wrote to Shelburne, "and delivered my reasons for desiring to be excused from acceptance of the employment, which he did me the honour to propose to me, at least till I had the means of knowing your Lordship's opinion and approbation; upon which he repeated what *he had said before in regard to your Lordship, and nothing more*. I sought as naturally as I could to give him an opening for some further declaration, but it did not answer. I told him that I had seen Mr. Barré. He immediately inquired about his health, and when I told him that he had great hopes from the gout, he expressed much satisfaction at the account, but not a word about his coming up, or any wish of his assistance." \*

On the 23rd Lord Temple resigned the seals, apparently because Pitt, like Shelburne, had refused to advise the King to make him a Duke. "Things take a new turn," Orde wrote to Shelburne, "but it is resolved to stand their ground, however weak

\* Orde to Shelburne, 20th Dec. 1783.

and dangerous it may prove. Mr. Pitt declares himself firmly bent upon a trial, and is encouraged to this by Lord Thurlow, who is to have the Seal immediately. It was yesterday reported, that several offers had been made of the Seals of Secretary of State, but all had declined. The discretion of Lord Temple has however roused the spirit of the party, and Lord Carmarthen and Lord Sydney have kissed hands to-day at the Queen's house. Mr. Dundas tells me, that the former declared his preference to other employment than this he has accepted, but that he considered this as a moment in which every man was called upon to come forward, and take his line for life. The latter very kindly acts as a volunteer in this office, because there is no other to be found, declaring however, that he very much disliked the employment both on account of the business and expense of it, and hoped, that he should have an early opportunity of giving it up in exchange for a more quiet one, and requiring less outgoings. The drum is beaten and the word given is, 'Die in the last Ditch.' The Cabinet consists of Mr. Pitt, Lord Thurlow, Lord Gower, Lord Carmarthen, Lord Sydney, Lord Howe and the Duke of Rutland, (Privy Seal.) Mr. Pitt told me, that Lord Camden would not take any office. It is intended to recommend in the King's answer to the Address, an adjournment, during which the measures necessary

to be adopted might be well considered, and especially a Bill for the regulation of India, which might be ready upon the meeting. Expectations are entertained that the adjournment will not be refused, which however I much doubt. It is however determined in case of disappointment, to let those who choose to sit, amuse themselves as they please, till about the 20th January. In the meantime every possible exertion is to be made in order to collect a respectable force, reckoning much upon the numbers who have not yet committed themselves.

“ I received a note from Mr. Pitt to call upon him to-day at three o'clock, and I found him just returned from the Queen's house, where the resolutions above mentioned were solemnly taken. I had now an opportunity of obeying as exactly as I possibly could remember the directions I received from your Lordship, and also of expressing very fully my reasons for the decision I had resolved upon. I told him, that the change of their plan in regard to the dissolution of Parliament furnished of itself a reason for my desiring to decline acceptance of a seat at the Treasury Board, as I could not justify the expense of a re-election. But I thought it incumbent upon me from every consideration of honour and candour to declare, that if I had wanted this reason, I should have desired to have excused myself from an engagement of this nature, as I could on no account have

entered into it without an express stipulation that I should preserve in full force and liable to all its consequences my determined attachment to your Lordship; assuring him at the same time that I was certainly not aware at present of anything that would occasion any alteration in my conduct respecting the support of his Administration. I added, that I should on the contrary think, that I acted agreeably to your wishes, if in a moment of such a trial when the King had been so shamefully deserted, I exerted the full force of my service in the contest, which was to ensue. I received in return a profusion of compliments and expressions of regret, that under the present circumstances he could not venture to press for my official assistance, though he should hope for it, and my advice particularly, in framing an India Bill.”\*

From Shelburne's correspondence with Mr. Baring at this period, it does not appear what his plan for the territorial Government of India was; but from his conduct in 1773 and subsequently in 1786 it may be surmised that he was in favour of control by means of publicity and inquiry, rather than by actual Government interference. The commerce of India he intended to leave absolutely free and unrestricted. But the merits and the demerits of the East India Bill were in reality only the

\* Orde to Shelburne, Dec. 23rd, 1783.

stalking-horse of politicians. Men and not measures were alone regarded throughout the events of 1782 and 1783, and as Lord Grantham observed, Lord Shelburne always trusted too much to the latter.\*

Of the three persons most concerned in settling the new Ministry, the King, as he himself told Temple, was hostile to Shelburne, for having as he considered abandoned the situation in February, when it was tenable, while Temple accused him of being impracticable, and of having shown vanity and arrogance in refusing to court an alliance with North at the same period.† Of the friends of Pitt, Rose was bitterly hostile to Shelburne, for having refused him a personal favour,‡ while Dundas, now as ever a worshipper of the rising sun, was as ready to desert Shelburne for Pitt, as he had been to desert North for Shelburne. His present protestations, as Shelburne wrote to Orde were "too plain." § Pitt himself was probably not very anxious

\* Grantham to Harris, Feb 20th, 1783.

† "Courts and Cabinets," i. 303.

‡ The place of collector at St Christopher's had at Mr. Rose's request been promised to Mr. Diver, Mr. Rose's brother-in-law. The Duke of Portland however appointed someone else. Mr. Rose thereupon assumed that this had been done with Lord Shelburne's consent, and went to the latter "to state to him his determination never to be in a room with him for the future.' (Rose's Diary, i. 30.)

§ Shelburne to Orde, Dec 1783.

to give himself a colleague with opinions as decided and a will as strong as his own. It was certainly one of his distinguishing characteristics, only to care for power when undivided and absolute, and he consequently surrounded himself with colleagues either personally devoted to him, or else mere cyphers. It is said that at the Cabinets during his two Ministries, he used briefly to discuss with Dundas whatever business they had not previously settled together, then informed his colleagues of his decision, and told them they might go. At such meetings Shelburne would probably have been in the way. Pitt was further fully aware of the great odium and unpopularity which the Whigs had succeeded in fastening on Shelburne during recent events; and was no doubt anxious to dissociate himself from one whom he probably regarded as a political Jonah. That these feelings animated him, was practically confessed by Lord Sydney to Mr. Orde. "He declared," the latter wrote to Shelburne,\* "in the strongest terms his own regard to your Lordship, and his sense of the obligations he lay under to you, which he was proud to acknowledge everywhere, and also his conviction, that there never was a Minister, who might be more depended on for spirit, ability, and steadiness, and for sacred adherence to all engagements in business. He lamented how-

\* Orde to Shelburne, 25th Dec. 1783.

ever the effect and absolute influence of prejudice, which at this moment prevented the applications which might otherwise have been made to you. He said that it was in vain to combat it. The prevalence of it would by degrees diminish and die away, but that at present it would not be much more alarming to many to bring Lord Bute forward. He touched also upon another ground of apprehension, which affected some people, that your Lordship's known principle was to be absolute; that you was to absorb all power; and others were to act only as your puppets. He solemnly declared however, that he spoke not this, as conveying any feeling of his own, for he had found your Lordship everything he could have wished, in the conduct of the Administration. Without making any answer to this, I contented myself with expressing surprise, that no compliment should have been paid to you by any communication whatever of any plan or particulars of what was to be done. He could only, he said, desire me to consider the extreme difficulty and delicacy of doing it, when the conduct of the whole was not to be entrusted to you. My reply was of course much the same, as I had made upon a like occasion to Mr. Pitt." \*

Notwithstanding his treatment by his former colleagues, Shelburne gave them every assurance of

\* Orde to Shelburne, Dec. 18th, 1783.

his support. "I have been at Court to-day," writes Orde, "where was a great kissing of hands. Lord Sydney did me the honour to show me your Lordship's letter, with which he seems to be highly pleased, and speaks of it with great satisfaction as a proof of your Lordship's friendly intentions. I found, that it had been shown to the Duke of Rutland, who mentioned it to me in the like terms, and added that he was always sure, you would act in the handsomest and the noblest manner."\*

No person regretted the retirement of Shelburne more, both on public and personal grounds, than Oswald. "I have called upon him," Benjamin Vaughan wrote to Shelburne, "as I know him to be much consulted at present. He had dined with me a day or two before, and had repeated the question often put to me, why it might not be hoped that your Lordship should take some part, even though not the former, of the Administration? I told him that I had written to be instructed in your Lordship's measures. 'Well,' said I, 'Mr. Oswald, Lord Shelburne has given an answer, and it is somewhat contemptuous to your young gentleman. As it has proved their own wish, he has desired not to be thought connected with them, lest he should injure them.' After repeating that your Lordship had not condescended to speak about them, till pressed to it, I gave him the very words

\* Orde to Shelburne, Jan. 1784.

‘And now,’ said I, ‘*Who is the most ambitious, Lord Shelburne or Mr. Pitt?*’—He seemed struck. He afterwards however took occasion to say that Lord Shelburne might perhaps be thought among them not to be likely to be contented with anything but the whole direction; and that perhaps they had left room for his coming in, and Lord Sydney might only be a *Locum Tenens* for that purpose, if Lord Shelburne would choose a share. I now took the discourse into my own hands. ‘Mr. Pitt,’ I said, ‘is as desirous to have the whole, as it is thought Lord Shelburne is; and what is that but ambition on his side?’ To this Mr. Oswald assented. ‘But,’ said I, ‘there is no proper basis for it. Mr. Pitt takes *advantage* of his being the only man in the House of Commons; and in truth he seems a good talker; but I had often observed that talking led the owner of it, and those about him, to false estimates of abilities; and it appeared to me that upon two *fundamental* points, Mr. Pitt had shown want of *powers* in business; the question of the peace and the question of the India Bill.’ Mr. Oswald said, indeed that was true: he had not gone into those two questions like a man of business, that we had too much talking, and that Count Vergennes did the business of Europe with half the parade. ‘Very well,’ said I, ‘I will remark further, that his Administration is defective in the Lords and in the Cabinet, provided it was

meant to be a liberal one, and as virtuous as he (Mr. Oswald) supposed they meant it to be. In the *Lords*, there were Lords Gower and Thurlow, and if he pleased Lord Sydney, who were not likely to defend well such questions as might occur, on *liberal* grounds, for as to the two other young Councillors,\* I put them out of the question; and as to the Duke of Richmond, everybody had seen that he was capable of "*turning short*." As to the *Cabinet*, there were the three young gentlemen, and Lord Sydney, against the others; and there, he might easily judge, how Mr. Pitt could drive things through. If the Lords and Cabinet hang heavy on his hands, he saw what the Commons were. He had got opposers in the Commons, who abound in wit, pretext and perseverance; their numbers were very great, and the King had displeased so many, and they stuck so well together, that they really made up what one might call the *town*. We had before agreed that Mr. Pitt wanted coolness; and I forgot to add, that his young friends blinded him by their adulation, and that his Attorney and Solicitor Generals† were men who wanted sober discreet manners of speaking. But recapitulating, I said that the only thing then to carry him (Mr. Pitt) through, was the King. That the King very possibly might be pursuing his old

\* Lord Carmarthen and the Duke of Rutland.

† Kenyon and Pepper Arden.

plan of putting to the test the virtue of all public characters, and had led Mr. Pitt into this scrape; of that I knew nothing; and certainly that sort of policy had got to its last shift, as another set of changes would ruin him.' " \*

While the Administration was in process of formation, and during the great struggle against the Whig houses in and out of Parliament, which was only terminated by the final defeat of the latter at the general election of 1784, Shelburne never left Bowood. The condition of politics, and a succession of personal losses both equally inclined him to this course. Oswald died in the course of the year; he was shortly followed by Alderman Townshend; while Barré became totally blind. By a strange coincidence the old antagonist of Barré, Lord North, also lost his sight before the close of his days. It is said that one day they met one another at Tunbridge. "Ah Colonel," said Lord North with all his old wit, "whatever may have been our former animosities, I am persuaded there are no two men who would now be more glad to *see* one another than you and I." † From this time, Barré appeared but seldom in the House. "To my memory alone," he sadly observed on one of these rare occasions, "I must henceforward recur for assistance in stating

\* Vaughan to Shelburne, Jan. 4, 1784.

† Wraxall, "Posthumous Memoirs," ii. 136, 137.

or recalling facts."\* The successor of Townshend in the representation of Calne was the celebrated lawyer Jekyll:

"Jekyll, the wag of law, the scribbler's pride,"

as the authors of the *Rolliad* called him, while they described Shelburne as

. . . . . "the sylvan sage  
Whom Bowood guards to rule a purer age."

But the greatest loss of all was that of Lord Ashburton, whose constitution, already impaired by illness and exertion, gave way entirely under the loss of his eldest son in April 1783. He died in August following at Exmouth.

It is said that when on a journey to that place he met at Bagshot the Attorney-General Wallace, his old antagonist both in the House of Commons and at the bar, who was himself proceeding to London for medical advice. Both expressed a strong wish to have a last interview and conversation. They were brought into the same room, placed on two sofas, and passed some time in talking over their recollections of both sides of Westminster Hall; then parted, to meet no more.†

While Pitt was pursuing his victorious career one at least of his colleagues was not altogether

\* Wraxall, "Posthumous Memoirs," ii. 283.

† Wraxall, "Memoirs," iv. 499.

satisfied with the treatment Shelburne had received. This was the Duke of Rutland, who had resigned the Privy Seal, and was now Lord Lieutenant of Ireland, where he had gone accompanied by Mr. Orde as Chief Secretary. "I cannot forbear," he wrote to Pitt, "making one more remark on the different arrangements and promotions which have taken place, and expressing concern, that in the course of them Lord Shelburne was not taken some notice of. For office, I put him out of the question; but in the promotion of the peerage he might have been offered a step, and I have reason to believe, that though he has entirely relinquished all views of business and office, yet some mark of distinction, such as that to which I allude, would be peculiarly gratifying to him. The Government (in which my principal object is completed by seeing you placed of the head of it) was first formed under his auspices, and by the quiet manner in which he has quitted his pretensions to any share of it, certainly owes him some compensation; and except there are reasons with which I am unacquainted, I still hope to see him repaid." \*

Four months after Shelburne received the following letter from Pitt:—

"Downing Street, Oct. 21st, 1784.

"MY DEAR LORD,—A natural ambition that the present system of Government should receive the

\* Rutland to Pitt, 16th June 1784.

most public marks of your Lordship's approbation, and an earnest desire to satisfy on all occasions the sentiments of personal respect and regard which I am proud to acknowledge, render the occasion of this letter peculiarly interesting to me. I have the King's commands to desire to know whether it would be agreeable to your Lordship to receive the rank of Marquis, as a proof of his Majesty's gracious remembrance of your Lordship's services. The King has declared to me positively his intention of reserving the first rank in the Peerage for his Royal family; if this were not the case I am persuaded he would have been equally ready to give your Lordship that distinction, and I have his authority to assure you, that if any other Dukes are made hereafter, it will be his Majesty's desire that your Lordship should be included in the number. Nothing can give me greater pleasure in a public or private capacity, than to learn that the proposal I have the honour to make, is acceptable to your Lordship. I shall be proud and happy to receive your commands and beg leave to assure you that

I am, &c. &c. &c.

W. PITT.

On receiving this communication Shelburne wrote to Barré, that he was not anxious about the promotion in question, more especially as he could

have had any he might have chosen to ask for, in March 1782 and February 1783; knowing however how many persons there were who were anxious to prevent any understanding between Pitt and himself, he was inclined to accept the offer, though he would prefer being created alone, to being created in a batch of promotions, especially if the batch was to include Lord Temple. "I see no present alternative," he continued, "between that, and staying out to make an Administration of the King's friends, who have neither principle nor courage to carry one through, or be a minister *en potence*. It is true that Pitt is an egregious dupe; he has been so, he will be so, and his age and character go to it, but I shall feel myself a still greater, if I don't do everything possible to prevent it; because I am so with my eyes open." He went on to desire Barré to call upon Pitt and ascertain from him by "a free, open, and unreserved conversation" what was to be understood by the offer, and what their political relations were to be.

The office of Privy Seal was vacant, and a rumour was abroad that a desire existed in some quarters that Shelburne should receive it, or that it should be given to Lord Carmarthen, whose ignorance of European affairs, combined with the inefficiency of the Duke of Dorset, the English Ambassador in Paris, who was said to speak of the ceded islands as if he really knew where they were, threatened

to be dangerous to the best interests of the country. Shelburne would then, it was said, become Secretary of State.\* On the other hand it was said that Jenkinson was to have high office, to which Shelburne could never consent. With these reports in his ear, the latter went on in his letter to Barré as follows: "You are to tell Mr. Pitt in regard to the present system of Government, if he means his being at the head of the Treasury I have no objection to it. I detest the situation for myself, and I shall certainly enter into no cabal against him, neither with any part of the Court nor with Opposition. Further I suppose he cannot mean. If he says anything about my taking employment, you will apply the same language to that, with this additional fundamental circumstance, that I will take no employment, except I know from the King himself that he desires it. I must have a conversation likewise with him upon measures, before I can give ear to it. Or you may leave the whole of this point to a conversation with myself; but I had rather, to avoid misconception, that you touched it, that we may have nothing to treat upon hereafter, if he opens it. In fine, I want no sacrifices to be made to me, any more than I like to make any, but I feel I have already made sufficient, and I have a right to expect that whatever is done, should be done in the most honourable

\* Walpole, "Letters," viii. 446, 467. Rutland to Pitt, 16th June, 1784.

manner it can admit of, which in fact concerns him as well as it does me. I have no further instructions to give you, except that you will be so good as to bring this matter to one conclusion or other. I do not care which, provided it be one which will stand a public test, and which you can justify in the House of Commons; and for this reason I think it desirable the conversation should pass through you. In *your* manner you will be as frank, bold and open, as his conversation can possibly admit of. I know it is natural in dealing with narrow suspicious people, to adopt their manner, and fight them with their own weapons, but I have always found the contrary succeed against such characters. I do not think it the moment for many reasons to be touchy, or that it be very becoming me to fence with Mr. Pitt. I know the coldness of the climate you go into, and that it requires all your animation to produce a momentary thaw. But I trust that you will either conclude this matter, or put him *notoriously* in the wrong, leaving as little as possible for deliberation, as you may be sure, that those he will have to consult, are neither his friends nor mine.” \*

Barré however did not think it advisable to call on Pitt, and at his advice Shelburne simply wrote the following letter, accepting the offer, leaving any further overture to come from Pitt himself. His letter ran as follows:—

\* Shelburne to Barré, Oct. 25th. 1784.

“DEAR SIR,—Deeply sensible of the King’s remembrance of such services as his Majesty’s most gracious countenance and confidence could alone have enabled me to render to his affairs, I cannot hesitate to accept such a mark of his approbation, as his Majesty upon a full consideration of my conduct may judge proper to confer upon me, especially one which points me out by a promotion in the Peerage to the rank of Marquis, accompanied by his Majesty’s gracious promise, if he should ever change his intention of reserving the first rank of the Peerage to his Royal family by making any other Dukes, of my succeeding to that rank.

“I am much obliged by your manner of communicating his Majesty’s gracious disposition, as well as for the value which you are pleased to put upon the present Government receiving such a mark of my approbation.

“I shall wait your further commands, when you have had an occasion of laying me at the King’s feet, which I trust to your goodness, that you will do with every expression of duty and devotion.

I am with very sincere regard and respect,

My dear Lord,

Your most faithful and most obed<sup>t</sup> serv<sup>t</sup>

SHELBURNE.

Bowood Park.

Sunday night,

31st October, 1784.

For some time nothing more was heard from Pitt, either as to the Peerage or on any other subject, and Shelburne himself not being in London, and not intending to go there, wrote to Barré, that he thought their conduct might be misunderstood, and that he had better call on Pitt. "As to writing a note desiring to see him," he continued, "or going any further than calling at his door, the omission of which in the present circumstances would I am clear be an act of estrangement if not of hostility both upon your part and mine, I leave entirely at your own judgment and feeling, according to the circumstances you may happen to learn. I only think in general, that the whole, King, Pitt, and myself, make but one interest properly considered, and that it may be taken up higher than what you seem to do. I take it for granted the struggle is to get Jenkinson into the Cabinet. It is inconceivable to me after Pitt's letter my not hearing further. It was impossible, for me to go to town after saying in my letter that I should wait.

"After what you mention I think whatever conversation you have, had better be confined to the Peerage, especially as they do not think it necessary to consult me about the arrangements in question. Adieu."\*

Whether any interview took place does not

\* Shelburne to Barré, November, 1784.

appear, but at the end of November, Pitt wrote as follows to Shelburne :—

“MY DEAR LORD,—I had great satisfaction in receiving the honour of your Lordship’s letter, and have in consequence of his Majesty’s commands, to acquaint your Lordship that he has given orders for preparing the Patent of creation. Your Lordship will probably receive an official notification from Lord Sydney, and will have the goodness to communicate to him the title which you wish to have inserted. If it should not be inconvenient to your Lordship to kiss hands on Wednesday in the next week, the creation may be then immediately completed. If any thing should be likely to prevent your Lordship being present at that day, I shall hope to be honoured with your further commands. I am extremely sorry that circumstances purely accidental but unavoidable, have occasioned the interval since I last troubled your Lordship. The King does not at this time extend the mark of his favour to any one besides your Lordship, except Lord Temple. Allow me to repeat the sincere assurances of the respect and regard with which I have the honour to be,

My dear Lord,

Your most obed<sup>t</sup> and most faithful serv<sup>t</sup>

W. PITT.

The title Shelburne chose was that of Lansdowne,

which had been in the family of his first wife. No offer of office was made to him. Lord Gower became Privy Seal; Lord Camden accepted the Presidency of the Council, vacated by Lord Gower, and within little more than a year Jenkinson was made a Peer, Chancellor of the Duchy, and President of the Board of Trade. The authors of the *Rolliad* celebrated the conclusion of these negotiations in a Pastoral poem, in which the First Lord of the Treasury and the new Marquis address one another in amœbæan strains

#### THE STATESMEN :

AN ECLOGUE

LANSDOWNE.

WHILE on the Treasury-Bench you, *Pitt*, recline,  
And make men wonder at each vast design ;  
I, hapless man, my harsher fate deplore,  
Ordain'd to view the regal face no more ;  
That face which erst on me with rapture glow'd,  
And smiles responsive to my smiles bestow'd  
And now the Court I leave, my native home,  
“ A banish'd man, condemn'd in woods to roam ; ”  
While you to senates, *Brunswick's* mandates give,  
And teach white-wands to chaunt his high prerogative.

PITT.

Oh ! *Lansdowne*, 'twas a more than mortal pow'r  
My fate controul'd, in that auspicious hour,  
When *Temple* deign'd the dread decree to bring,  
And stammer'd out the *firmaun* of the King ;

That power I'll worship as my household god,  
 Shrink at his frown, and bow beneath his nod;  
 At every feast his presence I'll invoke,  
 For him my kitchen fires shall ever smoke;  
 Not mighty *Hastings*, whose illustrious breath  
 Can bid a Rajah live, or give him death,  
 Though back'd by *Scott*, by *Barwell*, *Palk*, and all  
 The sable squadron scowling from *Bengal*;  
 Not the bold Chieftain of the tribe of *Phipps*,  
 Whose head is scarce less handsome than his ship's,  
 Not bare-breech'd *Graham*, nor bare-witted *Rose*,  
 Nor the great *Lawyer* with the little *Nose*;  
 Nor even *Villiers* self shall welcome be,  
 To dine so oft, or dine so well as he

LANSDOWNE.

Think not these sighs denote one thought unkind,  
 Wonder, not Envy, occupies my mind;  
 For well I wot on that unhappy day,  
 When *Britain* mourn'd an empire giv'n away;  
 When rude impeachments menaced from afar,  
 And what gave peace to *France*—to us was war;  
 For awful vengeance Heav'n appear'd to call,  
 And agonizing Nature mark'd our fall.  
 Dire change! *Dundas's* cheek with blushes glow'd,  
*Grenville* was dumb, *Mahon* no frenzy showed;  
 Though *Drake* harangu'd, no slumber *Gilbert* fear'd;  
 And *Mulgrave's* mouth like other mouths appear'd;  
 In vain had *Bellamy* prepared the meat;—  
 In vain the porter—*Bamber* could not eat,  
 When *Burke* arose, no yell the curs began,  
 And *Rolle*, for once, half seem'd a gentleman;  
 Then name this god, for to *St. James's Court*,  
 Nor gods nor angels often make resort.

PITT.

In early youth misled by Honour's rules,  
That fancied Deity of dreaming fools ;  
I simply thought, forgive the rash mistake,  
That Kings should govern for their People's sake !  
But Reverend *Jenky* soon these thoughts supprest,  
And drove the glittering phantom from my breast ;  
*Jenky* ! that sage, whom mighty *George* declares,  
Next *Schwellenbergen*, great on the back stairs :  
'Twas *Jenkinson*—ye Deacons catch the sound !  
Ye Treasury scribes the sacred name rebound !  
Ye pages sing it—echo it ye Peers !  
And ye who best repeat, Right Reverend Seers !  
Whose pious tongues no wavering fancies sway,  
But like the needle ever point one way.

## CHAPTER IX.

## RETIREMENT.

1785-1788.

OF the great measures proposed by Pitt in the period which elapsed between his accession to power and the outbreak of the French revolution, there was hardly one which cannot be shown to have had its origin in the brief period when Shelburne was at the head of the Treasury. If Pitt in 1785 proposed to complete the Irish commercial reforms begun in 1780 by North, it was Shelburne who in the latter year when in opposition and in 1782 when in office, had declared that the American and African trade must be opened to Ireland, and colonial produce be allowed to be reshipped from that country to any part of Great Britain. If Pitt understood the urgent necessity of controlling the East India company, so did Shelburne. If Pitt in 1785 introduced sweeping reforms into the public offices, it was Shelburne who in 1782 originated the measure. The sinking fund, whatever the advantages or disadvantages

of it may have been, was as much if not more the idea of Shelburne than of Pitt. When the latter in 1787 introduced the commercial treaty with France, he was only carrying into effect the ideas which Shelburne had put forward in 1782, as those which ought to govern the relations between the two countries. It is not intended by these remarks to detract in any way from the greatness of Pitt. His Administration from 1783 to the French revolution must remain entitled to the praise of having first carried into effect the great economic principles which in more recent times have so entirely changed the face of Europe. Shelburne may however justly claim to have been his precursor. "Vous m'apprenez la nouvelle du monde la plus intéressante," writes Morellet to him at this period; "en me disant que vos principes sur la liberté du commerce et de la communication des nations se répandent et s'accréditent parmi vos négociants et vos manufacturiers et jusque dans votre capitale, où l'esprit de monopole a été, je crois, plus dominant qu'en aucun autre lieu de l'Europe. Il m'est bien clair que ce progrès dans les lumières de votre nation est dû à vous même. M. Smith et quelquefois le Doyen Tucker chez vous les ont bien saisies, ces vérités, mais ils n'ont fait que les mettre dans les livres et vous les avez mises dans le monde." \*

The speech Lord Lansdowne delivered on the

\* Morellet to Shelburne, 9th July, 1785.

French treaty may be perhaps considered the ablest he ever made, and will bear comparison with that made by Pitt on the same occasion. "Is the old commercial system to be changed as totally erroneous, and should France for any political reason make an exception in this change, were," he said in reply to the Bishop of Llandaff, "the two great questions before the House. The first required very little discussion. Truth had made its own way. Commerce, like other sciences, had simplified itself. There was no science that had not done so. A right reverend prelate had said that our commercial system required no alteration, which, with great submission, he thought could not be said of anything; and, if the question was put to him, he believed he would not say it of the Church. It was unnecessary to define the progress of the change. A great minister in Holland first opened the eyes of modern Europe upon commercial subjects. Men of letters in different countries contributed their aid to develope and extend the principles of free trade. Ministers of the first eminence in a neighbouring country adopted and pushed them still further, more or less, as suited their different views of considering the subject. The old calculation so much dwelt upon by the reverend prelate, gradually became exploded; and the idea of estimating the balance of each trade was given up."

He then proceeded to ridicule the notion that France had always been inimical to England and alluded in support of his position to the conduct of Queen Elizabeth, Cromwell and Sir Robert Walpole, who had all valued the French alliance. He acknowledged that William III. had adopted a very different system but, he said, as there might be spots in the sun, it must be allowed, with all possible admiration of King William, that his foreign politics did not make the brightest part of his character as an English King, for his conduct was entirely governed by his aversion to Louis XIV.

To those who argued that France was our natural enemy and never could be otherwise, he replied, that the circumstances were entirely changed since the time of William III. England, he said, had no natural enemy, except the powers that kept 300,000 men under arms, maintained for the sake of conquests, and not for defence; they were the enemies of mankind, and merited that all Europe should join against them. He then proceeded to condemn the partition of Poland and the conduct of the Northern Powers.

After thus pronouncing on the policy of the measure, he proceeded to criticize some of the details, amongst which he specified the choice of the articles on which the French import duties were to be lowered, but he confessed that in making these

observations he was bound to recollect the expression of the Duke of Marlborough : "I find many very ready to say what I ought to have done when a battle is over ; but I wish some of these persons would come and tell me what I ought to do before the battle." Notwithstanding these expressions, he was accused of having spoken on both sides of the question. "I am accused" he thereupon retorted, "of speaking on both sides, because I have not from friendship towards the Ministers, forborne to state my objections to many parts of the measure under discussion ; and because I have not, in complaisance to the Opposition, withheld my tribute of applause to the principle. The fact is, that throughout life I have stood aloof from parties. It constitutes my pride and my principle, to belong to no faction, but to approve every measure on its own ground, free from all connection. Such is my political creed."

The debates on the French treaty did not end without his becoming involved in a violent controversy with one of his former colleagues. He had observed that some representation ought to have been made during the negotiation of the treaty, on the fortifications in the course of erection at Cherbourg. The Duke of Richmond, Master General of the Ordnance, then declared that England had nothing more to do with Cherbourg, than France had to do with Portsmouth or Plymouth. Lord Lans-

downe replied that he did not think it at all probable that the French would object to our fortifying our coast, since in the event of an invasion they would take possession of the fortresses as advantageous posts. Roused by this sarcasm, the Duke of Richmond accused him of having approved those very fortifications in 1782, and appealed to Mr. Pitt in support of his statement, while Lord Lansdowne produced a letter from the Duke of Richmond himself as evidence on the other side. The altercation was renewed several nights in succession, and became so acrimonious, that it put an end to the friendship of the two illustrious disputants, who it was even reported were about to have a duel.\* The general wish of the Whigs was that they should fight, that one should be shot, and the other hanged for it.† No encounter however ensued, and Lord Lansdowne retired to the "woods" from which as he assured the House of Lords "he was just come" without having to add another duel to his exploits against Colonel Fullerton.

In these "woods" he now generally remained for the greater part of the year, avoiding London and Parliament. His relations with the Government were naturally delicate, from the relative

\* The speeches of Lord Lansdowne on the Irish Commercial Propositions, and the French Treaty, are given in the "Parliamentary History," xxv. 855; xxvi. 554, 574.

† Sir G. Elliot to Lady Elliot, March 8th, 1787.

positions of Pitt and himself. With the Opposition he refused to hold any communication. They made it a principle, he said, to oppose everything right or wrong, and thereby to stifle and mislead public opinion. Faction was however the weapon most natural to a party, which while professing to be more liberal than the Government, was in reality behindhand on all the great questions of the day.

Under these circumstances it was only natural that Lord Lansdowne should prefer the society he gathered around him at Bowood to the game of politics in London. He at the same time kept up a busy correspondence, both at home and abroad, chiefly on economic subjects, to which he was now turning his attention in an increasing degree. Morellet kept him informed of all that was passing in France, Arthur Lee of the state of affairs in America, and Orde of events in Ireland ; while Baring and Jekyll supplied the latest commercial and political news from London.

One effect of the study of the principles of political economy was to convince him more and more that the terrible condition of the rural poor, especially in his own neighbourhood, was in no small degree owing to the very laws intended for their relief. "I have long been mortified," he wrote to a friend, "to see the state of the poor in my own neighbourhood, and for some years past

have given the state of them a great deal of my attention and observation. I am persuaded that whatever measure is adopted, the present poor rate should be immediately limited, and a plan prescribed for its gradual extinction. There should be total suppression of ale houses, except where it is necessary for the accommodation of travellers. There are no ale houses in France. What a difference must this make in the prices of all manufactures, public morals, and police. The clubs or friendly societies should be encouraged by all possible means. There might be a parish holiday or festival once a year, with music or any other attraction, and upon the same day throughout England.

“Courts of Conscience should be abolished and a power of arrests for small sums taken away, as well as all fees. Surely some County or Parish Court, which would be still better, might be planned if not revived, to do the business allotted to Courts of Conscience, without fee or reward; or if there must be any, let it be by way of salary from the parish or county.\*

“It is a shocking consideration that the public prisons should be nurseries of vice and infamy instead of places of reform and contrition, and an idea

\* The Courts of Conscience or of Requests were the local Courts for the recovery of small debts constituted under special Acts of Parliament previous to the general establishment of County Courts.

not to be endured that any officers of the Crown, much less judges, should owe any emolument directly or indirectly to such a source, or that it should cost so much as it does to bring any *criminal* to justice.

“I have no opinion of hospitals.

“A separate Act might be passed relative to the education of children. To give the children of the poor two or three years *daily* education and eight or ten years *Sunday* education, which should consist in nothing more than in inculcating the simplest of the simple principles of the Gospel, namely, public obedience, the duties and affections of domestic life, and contentment, under the doctrine of future rewards and punishments. It were to be wished that the clergy would for their own honour, as well as for the sake of public order and decency, lend themselves roundly to this part, from the bishops downward; but I despair of this and am apprehensive it might endanger the scheme, if it was so much as hinted; I conceive there can be no great difficulty nor expense, from the calculations I have made in my own neighbourhood, to effect it perhaps better without them.\*

\* The following extract from the books of the Baptist chapel in Calne is interesting in connection with the above passage:—  
“1785. August 20th — William, Marquis of Lansdowne, intending to encourage the clothworkers’ club in this town, sent for me on the subject. At his request I drew up a new set of articles, which his Lordship approved. He subscribed £20 to their stock,

“What I most desire is that no half measures may be pursued. If ale houses are only in part abolished, if the seeds of the old system are let remain, if a faint establishment is made for education, &c., it will only make things worse, and add expense to experiment. I find what is wanting among us on almost all plans is an honest executive, and I would rather see any one of these heads fairly tried, than the whole faintly attempted.”

In order to assist the spread of correct views on economic subjects, especially among the middle and manufacturing classes, which he said were sure to govern England in the long run, Lord Lansdowne at this period interested himself in the publication of

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and commenced a subscriber of £20 a year, besides an annual present of a fat ox to be divided among the members at Christmas. He also gave a club-room to hold their meetings in. The articles being accepted, the club was removed from the ‘White Hart’ Inn to the room (thus newly) appointed; their yearly feast, a great occasion of idleness and drunkenness, was abolished, and all needless parade at funerals was suppressed. His Lordship also proposed instituting certain charity schools in the town and neighbourhood, and desired me [the minister of the congregation] to engage teachers and superintend the schools. But the clergy opposed his Lordship’s intentions, lest the children should become Dissenters, although it was engaged that the children of Church people should go to Church with their parents.” Compare the remarks of Bentham on the opposition of the clergy of the Established Church to Education and the ideas of Lancaster, “Works,” ii. 420, 468.

an English translation of Condorcet's Life of Turgot. He considered Turgot a great character, even if not a great statesman, and was especially captivated with his idea of establishing certain fixed and fundamental principles of Law, Commerce, Morality, and Politics, comprehensive enough to embrace all religions and countries. He could not however agree with Turgot that the excellence of Monarchy consisted in the power it possessed of changing the laws without regard to popular prejudices; believing that the ulterior evils which spring from all summary exercises of power, outweigh the immediate advantages of the reforms so carried;\* nor could he with Turgot consent to regard an armed foreign intervention as in the abstract ever justifiable. A country which is oppressed, would he thought be the better for righting herself, and working out her own political salvation; England had done without foreign assistance against George III., and America he considered might have dispensed with the aid of France. Under the influences of these sentiments he proposed to establish a newspaper called the Neutralist, which should be above party, and devoted to the advocacy of free trade doctrines; and he begged Price to abandon his theological wrangles, and leaving the Doctors of Divinity and the Archbishops "*to die by*

\* See the remarks of De Tocqueville, "Ancien Régime," ii., xv., on the views of the French economists on the subject of liberty. Conf. Comte, "Positive Philosophy," ii. 72.

*their own hands,*" to devote the rest of his life to crying down war and preaching up peace. If sovereigns, he said, are offended with each other let them fight single handed without involving the people in their silly quarrels; kings had different interests, but the people throughout the world had but one interest, if properly understood. The rights of neutrals, contrary to the views he had formerly held, he wished to see carried to the furthest point possible. To the mere introduction of the principle of Free Ships, Free Goods, he indeed objected, and stated as much in Parliament during the discussion of the French Treaty. In his opinion it went either too far or not far enough. If war were declared, the English carrying trade, likely under free trade principles to be the greatest of the world, would he foresaw be at once transferred to neutral flags; while the country would at the same time be deprived of those advantages which as a belligerent she had enjoyed under the old rule of the Consolato del Mare. He therefore regretted that Pitt in his French Treaty had not gone further, and followed the example of the treaty which had been recently negotiated by Franklin between the United States and Prussia, under the terms of which even the merchant vessels of belligerents were exempted from capture.

Nor were these the only subjects on which the views of Lord Lansdowne were far in advance of those of his contemporaries. In a conversation with Pitt he

is found pointing out to the Minister the impossibility of placing the finances of the country on a really satisfactory basis in keeping with the newest financial ideas, without having recourse to an income tax, and in a letter to Dr. Price he enlarges upon the necessity of more attention being given in education to modern as compared with ancient languages, and of shortening the length of the vacations of the English universities and of introducing public examinations.\* Prejudices however like other mortals Lord Lansdowne had, and of one in particular, notwithstanding all his philosophy, he never could free his mind. This was his hatred of the Scotch. "I can scarce conceive a Scotchman," he writes to Price, "capable of liberality, and capable of impartiality. That nation is composed of such a sad set of innate cold-hearted impudent rogues that I sometimes think it a comfort that when you and I shall walk together in the next world (which I hope we shall as well as in this) we cannot possibly then have any of them sticking to our skirts. In the meantime it's a melancholy thing that there is no finding any other people that will take pains, or be amenable even to the best purposes."†

\* Lord Lansdowne to Morellet, 22nd May 1785. 11th Oct. 1786. Sep. 9th, 1787. Lord Lansdowne to Price, 21st Sep., 22nd Nov., 29th Nov. 1786. "Parl. Hist.," xxvii. 874. Notes of a Conversation with Pitt, 1785.

† Lord Lansdowne to Price, 29th Nov. 1786.

Amongst other visitors at Bowood at this period were Mirabeau and Romilly. Lord Lansdowne's attention had been called to Romilly partly by the praises of Mirabeau, partly by a pamphlet on the Rights and Duties of Juries, which Romilly had published during the celebrated proceedings against the Dean of St. Asaph's, and by the desire of making acquaintance with Romilly's friend Dumont, at that time the pastor of a Protestant church at St. Petersburg, whom he intended to engage to come to England to undertake the education of his younger son Henry, "wishing to attempt a new line of education with him." \*

"I was received by Lord Lansdowne," says Romilly, "in the most flattering manner. From that time he anxiously cultivated my acquaintance and my friendship; and to that friendship I owe, that I ever knew the affectionate wife who has been the author of all my happiness." † The friendship thus formed was still further increased by the answer written by Romilly to Madan's "Thoughts on Executive Justice;" the author of which, starting from the maxim that the certainty of punishment is more efficacious than its severity, went on to advocate the propriety of rigidly enforcing the whole penal code of England, in every instance and in all its barbarity.

\* Lord Lansdowne to Morellet, May 22nd, 1785.

† "Life of Romilly," i 85.

Mirabeau relates that Lord Lansdowne told him that he wished convicted criminals could be examined with a view to a philosophical study of their characters. "We govern men," he said, "and we do not know them; we do not even endeavour to know them."\* Lord Lansdowne wished to bring Romilly into Parliament, and spoke of him to Morellet as the successor of Dunning in his confidence.†

Of Mirabeau while at Bowood, Romilly has preserved a curious anecdote. "He was fond," he says, "of bitter controversies in conversation with celebrated men. He wrote me a letter while I was on circuit in 1785, in which he gave me a very detailed account of a dispute which he supposed himself to have had with Gibbon, the historian, at Lord Lansdowne's table, in which he expressed himself with so much violence, that he seems in some degree to admit that he was to blame. The most extraordinary circumstance however is, that he never had any such dispute with Gibbon, and that at the time when he supposed it to have taken place, Gibbon was actually residing at Lausanne."‡

A very different figure from Romilly or Mirabeau was frequently to be seen in their company. This

\* "Life of Romilly," ii. 315.

† "Life of Romilly," i. 87. Lord Lansdowne to Morellet, 1789.

‡ "Life of Romilly," i. 85, 320.

was John Britton, the Aubrey of the eighteenth century. He used himself to relate how he came to Bowood, from Chippenham, a town which it is to be hoped has recovered from the terrible condition in which the antiquary describes it; for there he says owing to party spirit "friendships were turned into enmities, and families were separated from and divided against each other; discord and enmity pervaded the whole population, and it was painful for a peace-loving person to visit any of their houses, and to find nothing but back-biting and scandal." The amiable inhabitants of this pleasant town had solemnly warned Britton against ever going near the owner of Bowood, who they declared was "high, stern, and haughty" to strangers. Britton accordingly started, as he says, with a full recognition of the embarrassed situation of Goldsmith in his interview with the Duke of Newcastle, and was agreeably surprised to find the reverse of what he had been led to expect. He was told to stay, provided with all the books and maps and plans he wanted, and on leaving was presented with a copy of Andrew and Drury's large survey of Wiltshire, and asked to repeat his visit. It was owing, he says, to the encouragement he then received that his great work, "The Beauties of Wiltshire," was undertaken. On returning to Chippenham he found that in consequence of his hospitable reception, he was in future

to be himself included in the abuse so freely levelled at his host.\*

Britton has left some account of the large picture gallery which then existed at Bowood, and he mentions that he was informed by Lord Lansdowne, that he had purposely added to it a large number of the works of English painters in order to encourage art, and that with the same object he had advocated the adornment of the interior of St. Paul's with appropriate sculptures by modern artists. Of the disfigurement of Westminster Abbey, Lord Lansdowne had a very keen appreciation, but he appears to have hoped for better things.† He did not live to see the figure of Mr. Perceval blocking up one of the finest windows, or that of William Pitt with his two legs straddling apart, in order to enable the economic Nollekens to hew the marble for the head, from between the legs of the statue of his hero.

Of the art collections made by Lord Lansdowne, the gallery of ancient statuary at Lansdowne House now alone remains. It was brought together under the following circumstances: Gavin Hamilton, the painter and antiquary, had commenced excavations in the neighbourhood of Rome, as a speculation. In 1769 he opened up the site of Hadrian's villa at Tivoli, and in a disused reservoir found the fragments

\* "Bowood," by John Britton.

† Pettigrew's *Life of Lettsom*, ii. 228.

of innumerable statues, which the religious bigotry of the early Christians had precipitated into it. Having extended his researches to Gabii and elsewhere, Gavin Hamilton notwithstanding the jealousy of the Papal Government soon reaped an ample harvest. The finest of the specimens of ancient art thus collected found their way into the Townley collection; the others were purchased by Lord Shelburne. When Canova was in England he is said to have pronounced the Mercury at Lansdowne House to be finer and more perfect than the Mercury of the Vatican, which he considered a duplicate.\*

Another well-known figure in Bowood society, was the celebrated Dutch physician Ingenhousz. At what period he came to England is not clear. It is probable that his introduction to Shelburne was through Priestley with whom he had much in common. Be that as it may he soon became a regular *habitué* of Bowood. Apart from his writings and discoveries, Ingenhousz deserves to be recollected as one of the first scientific men of the day, who devoted his attention to the overthrow of the delusions existing in the popular mind on the subject of health. He is said to have anticipated the saying attributed to an eminent modern states-

\* Britton's "Bowood," p 7; Mrs. Jameson, "Private Picture Galleries," p. 333.

man, that dirt is matter in a wrong place. Those who now mourn over the slow progress made in these matters, may at least console themselves by reflecting that schoolmasters no longer believe it to be wholesome to inhale the air which has passed through the lungs of their pupils, and do not close the windows, in order purposely to facilitate that operation.\* Shelburne used to say that he always believed Bentham to be the most good-natured man in the world till he had made an acquaintance with Ingenhousz.† The social charms of the learned physician were not however shared by his wife, who seems to have been a second Xantippe. This ill-matched pair had been for some time living apart, when some of the guests at Bowood forged a letter announcing that M<sup>me</sup>. Ingenhousz would shortly arrive at the house. Her husband at once took steps towards leaving it himself, and was only prevented from actually departing, by a frank confession on the part of the authors of the letter.

The odd personal appearance of the doctor, and the strange tongue which he spoke, gradually caused him to be looked upon as “uncanny” by the country folk who lived around. When late at night

\* A chapter in one of Ingenhousz's works is devoted to combating this notion.

† Shelburne to Bentham, 1790.

the lamp was still seen to be burning in the little room beyond the library overlooking the terrace at Bowood, then the peculiar sanctum of Ingenhousz and still known as "the Laboratory," the inhabitants of the village which then existed on the opposite hill whispered to one another that the learned doctor was sitting up in the company of the Father of Evil, and plotting the destruction of mankind.

Ingenhousz was especially celebrated as an operator of inoculation against small-pox; and an uncertain story would even connect him with the discovery of vaccination. According to this story he was the real discoverer, and either careless of fame, or unaware of the importance of his own achievement, he communicated it to Jenner without reserving any rights. The two doctors, so the story proceeds, went over to a farmhouse called Pinhills near Calne, and there succeeded in persuading a farm servant to allow herself to be vaccinated. The farm servant used to relate how her friends expected her to have swollen suddenly or fallen down dead, as a punishment for trusting herself to the experiments of the strange foreigner. None of these fatal consequences however ensued; the farm servant lived to a very advanced old age; the experiment succeeded, and the success of vaccination was assured. Such is the story. *Credat Judæus Apella.*

Ingenhousz died at Bowood. He was going to leave it for fear of giving trouble in his last illness. Lord Lansdowne said he should not end his days in an inn, and induced him to stay.

The figure however which is most indissolubly connected with Bowood at the end of the last century is that of Jeremy Bentham. Four years after the publication of the "Fragment on Government," Shelburne happened to read the work and determined to make the acquaintance of the author, and in July 1780 called on him in his chambers in Lincoln's Inn. "The visit to Lincoln's Inn produced one to Shelburne House, and that one of some weeks to Bowood."\* The acquaintance thus formed soon ripened into friendship, and Bentham became an almost constant inmate of Bowood. "Of esteem not to speak of affection," he says, "marks more unequivocal one man could not receive from another, than, in the course of about twelve years, I received from Lord Shelburne. Though not its existence, my attachment to the great cause of mankind received its first development, in the affections I found in that heart, and the company I found in that house. Amongst the friendships it gave me, was Dumont's; one that it helped to form, was Romilly's. . . . By Lord Mansfield I was disappointed; at Lord Shelburne's I was indem-

\* Bentham, i 249.

nified ; at Ken Wood, I should have been mortified and disgusted ; at Bowood I was caressed and delighted. . . . Lord Shelburne raised me from the bottomless pit of humiliation—he made me feel I was something.” \*

Bentham has left an amusing account of his nervousness on arriving, of his anxiety to persuade Mr. Alexander Popham to convoy him to the house ; of his attempts to get rid of the company of a chambermaid who was travelling in the same coach ; and how one of his earliest exploits was to assist in carrying off to bed a drunken German servant, who at a late hour of the night had deposited his carcase in the housekeeper’s room, instead of in his own.† At Bowood Bentham found a large society, including many of the leading men of the day ; but the sketches of their characters which he has left, are unfortunately too much disfigured by his own prejudices to be of much interest. They all seemed to him wanting in the great elements of statesmanship ; always engaged in discussing what was ; never what ought to be. A due appreciation of the “Fragment on Government” was at this period the one unfailing test of merit with Bentham, and it may be doubted if the favourable opinion he

\* Bentham, i. 148 ; x. 114. Kenwood was the country seat of Lord Mansfield.

† Bentham, x. 89, 90, 99.

formed of Lord Shelburne\* did not as entirely depend on the approval of that work expressed by his host, as the opposite estimate he made of Dunning and Camden, to both of whom the "Fragment" had been attributed, was due to their neglect of it. Bentham too was very easily offended. Camden seems one day to have told him in joke that he played on the violin too loud, and another day that he ate too much, and Bentham took these observations for serious insults† Another day Barré told him that he had got into a scrape with the lawyers by publishing the Theory of Morals and Legislation, which was written at Bowood, and Bentham imagined at once that the Colonel had some dark design in making this observation. His host asked him on another occasion, "What it was Mr. Bentham could do for him," and Mr. Bentham at once saw in the remark the evidence of another dark design.‡ This is how he describes his first meeting with Dunning. "It was one evening after dinner that he made his appearance. He came fresh from Bristol, of which city he was Recorder. I found him standing in a small circle, recounting his exploits. They were such as, when associated with the manner in which he spoke of them, and the

\* For Bentham's character of Shelburne, see vol. ii. 173.

† Bentham, i. 250.

‡ Bentham, i. 249, 251.

feelings that sat on his countenance, brought up to me Lord Chief Justice Jefferies. He had been the death of two human beings : he looked and spoke as if regretting there had not been two thousand. Upon my approach, the scowl that sat on his brow seemed more savage than before. The cause I had not at that time any suspicion of : the effect was but too visible. As I came up, he was wiping his face : the weather was warm, and he had in various ways been heated. It was the tail only of a sentence that I heard. It appeared to me incorrect : I expressed a hope that it was so. Subdued and respectful (I well remember) was my tone ; for, notwithstanding the freedom to which no member of the Bar could have been unaccustomed,—the temerity, such as it was, was by no means unaccompanied with the fear of giving offence. The scowl was deeper still : he made no answer : he took no further notice of me :”\* Dunning was indeed very ugly ; his contemporaries said his ugliness was such that no artist less experienced than Sir Joshua Reynolds could give adequate expression to it ;† but on Bentham the scowl of Dunning produced no temporary effect ; years after, when Dunning was dead, he continued to depreciate his memory and to describe as “a narrow-minded man and a mere lawyer” ‡ the illustrious statesman

\* Bentham, i. 250.

† “Autobiography of Mme. Piozzi,” i. 113.

‡ Bentham, x. 236

whom Sir William Jones delighted to honour,\* and of whom Lord Lansdowne, himself not given to the use of unnecessary compliments in his writings, whatever may have been the case in his conversation, has left the following character :—

LORD ASHBURTON.

“He had the peculiar characteristic of a great man, Intuition. Like Shakespeare and Milton, nature hid nothing from him. He had the greatest power of reasoning which can be conceived, and such a habit of it, that he could not slight a cause, no more than an able artist could suffer a piece of work to go imperfect from his hands. He could not pass a link in the chain, and had such a faculty of arrangement that he would take an absolute chaos of matter, and return it to you in an instant so clear and distinct, as of itself to present a proper judgment without need of discussion. His speeches at the bar were sometimes long, (in Parliament he was always short,) and tried the attention of his hearers, in an age indisposed to close investigation of any sort, much more to mathematical demonstration, without which his accurate mind could not be content in any cause which admitted of it. It

\* “Sir W. Jones’ Works,” iv 577.

was no want of neatness nor of wit, two qualities which he possessed in such a superior degree, that upon many occasions they appeared to be his strength. One proof of the former, among a multitude which remain, is the famous Resolution of the House of Commons relative to the Power of the Crown which he dictated, after a long professional attendance, in a few words comprehending everything, pleasing everybody, and commanding the union of all within and without doors. His wit in which, as Sir W. Jones says, no mortal ever surpassed him, was not more surprising than his perfect command of it. He never suffered it to interfere with his argument, nor ever sought to shine or to captivate, when he could convince. His professional knowledge was universally acknowledged. All parties allowed him to be at the head of the bar. His industry, his liberality, his acuteness added to his capacity, procured him the personal confidence, reverence and attachment of almost all the great families, who always found him no less a gentleman than he was a lawyer. The only doubt was whether he excelled most at Equity or Common Law. There was none as to anybody's coming up to him in either. The fact is well known of the present Chief Justice of the Common Pleas, beginning a law argument in the absence of Mr. Dunning, but upon hearing him Hemm in the course of it, his tone so visibly changed

that there was not a doubt in any part of the House of the reason of it.\*

“He had the most undaunted courage of body and mind, of which innumerable proofs must remain among the profession, from the daily instances he gave of it, in fighting up his own way against the frowns and arts of Lord Mansfield the cause of many a poor client against that judge’s partiality and caprice, and the Law of England itself against the various novelties which Lord Mansfield’s vanity and unconstitutional principles, made him perseveringly attempt, which Mr. Dunning as perseveringly resisted. His presence of mind never failed him. His mind furnished him with resources on all occasions. His sagacity to distinguish and his spirit to seize an occasion showed itself in the advantage he took in conjunction with Mr. Barré to move Lord Chatham’s public funeral and the provision for his family. He certainly had from nature great ambition, but his pride and his principle set him so far above it, that it may be safely affirmed, that no man living or dead, knew the object of it. His peerage was *forced* upon him, because he felt it a momentary deviation from his profession to accept the Duchy of Lancaster, till the King’s Bench became vacant, not being satisfied with the precedent of Lord Lechmere, and not at all regarding the late advancement of others of

\* Lord Loughborough.

the profession to that dignity, and what influenced him still more, because he thought he could be of more use to his friends in the House of Commons. He refused for a course of years the first situations from motives of principle and friendship. This last, however great his other qualities, was in truth the predominant feature of his character. In the various occurrences of life, it required the whole force of his reason to keep this within the bounds of wisdom. The progress of his fortune as well as the habits of his profession connected him with many, not one of whom he ever forsook. There was no sacrifice he was not ready to make to any of his connections, no fatigue which he would not undergo, no risk which he would not run. The Greatest Person in the kingdom said he never knew friendship till he knew him. The most obscure connection he had cannot say he slighted him, or suffered a slight to pass upon him absent or present.

“His character would not be human without some shades. He was used to say of himself that he loved and hated in the extreme. He certainly had very little mercy on those who excited his contempt by any tendency to meanness, mischief, or malignity, while he scarce could be induced to allow a fault in those he loved. He carried this so far that he always retained a strong prejudice on the side of such causes as he once maintained. His excessive habit of business

made even relaxation after a short time burdensome to him, and at intervals tiresome, which joined to the sensibility of his character made his temper sometimes difficult. He said of himself that he was an Epicurean not a Stoic, and that he did not devote more time to the society of his friends, than Sir Matthew Hale did to writing in another profession, which belonged to a different class of men to inculcate. He perhaps spared himself as little in his pleasures as in his business, and might by this means have contributed to break up a constitution which naturally was not a very strong one. If these shades existed in his character, there were only these; and in fact they do not deserve the name, for they were the overflowings of his talents, and the result of his virtues. His eminence, his hospitality, his power of protection, necessarily attracted adulation, in which line none went such lengths, even so as to nauseate his most intimate friends; as one gentleman of his profession, who owed him the greatest obligations,—such malignity is there to be found in human nature—has been supposed to be the author of the single reflection which has attempted to be cast on his memory.\* This regarded the amount of his fortune, and went so far as

\* Mr. John Lee, Solicitor-General in the Administration of Lord Rockingham, who distinguished himself during the debates of 1782 and 1783 by the violence of his attacks on Lord Shelburne and his friends.

to insinuate, that he acquired part of it by playing in the public funds, than which nothing could have been more inconsistent with his character or with the whole tenor of his life, which made it impossible. This scandalous report is however happily refutable beyond the possibility of malice, by the inspection of Mr. Child's books, which are open to anybody, where the progress of his fortune clearly appears, as well as the whole disposition of it from time to time, and only leaves a lesson behind it to great men in future, to *beware of sycophants*. To do his rivals justice, they have joined in doing honour to his memory, and one false voice excepted, his character is likely to transmit itself by unanimous consent to posterity, as that of the first lawyer of his age, the warmest friend, a most dutiful son, (which he proved by continual respectful attentions to his father, who died only a few years before him), an affectionate brother, (which appears by a long correspondence, which I suppose is preserved, as well as by his will,) a tender husband, and a most illustrious citizen." \*

It is pleasant to turn from the sketches which exhibit the weak side of Bentham's character to the epigrammatic sentences in which he describes the less eminent visitors, who were probably not expected to have views on the "Fragment of Government." There was for example Lady Mary

\* Lausdowne House MSS

Bayntun, “cultivated *par cause de voisinage*,” and notwithstanding her ancestry—she was the daughter of Lord Coventry by his marriage with the beautiful Miss Gunning—“as dowdy as a country girl, and as ugly as a horse;” and Edward Poore, a lawyer and fellow-student of Bentham at Oxford, so pompous and affected in his language, as to describe rubbish as “quisquillious matter;” and Sir J. Long “a little stiff-rumped fellow, who knew nothing except persons.” Then there was Captain Blankett, the friend of Admiral Keppel, “one of the most wrong-headed fellows,” says Bentham, “I think I ever met with; putting in his oar on every occasion, talking *à tort et à travers*, and spoiling every discussion that is started.”\* “Mr. Tongue,” he goes on, “is an insipid insignificant man, who lives at Bristol. I could perceive no other bond of connection than the circumstance of his once having rented a house about a mile from Lord Shelburne’s which his lordship has just pulled down;”† “General Johnson is a neighbour of Lord Shelburne’s: he is Equerry to the King and has been in waiting. He is an old man, is deaf at times, and has got the nickname (so I learned by accident) of ‘Old Sulky;’ he travels in a leather conveniency of the same name.”‡

\* Bentham, x 92, 96, 116.

† Bentham, x. 113

‡ Bentham, x. 114.

The second Lady Shelburne did not follow the example of her predecessor in keeping a diary; but the letters of Bentham to his father to a certain extent fill the place of one, in giving a description of the daily life of the house of which Lady Shelburne was the mistress, and of the society gathered around her. But let Bentham speak for himself:—

“July, 1781.

“Where shall I begin?—Let me see—the first place by common right, to the ladies. The ideas I brought with me respecting the female part of this family, are turned quite topsy-turvy, and unfortunately they are not yet cleared up. I had expected to find in Lady Shelburne, a Lady Louisa Fitzpatrick, sister of an Earl of Ossory, whom I remember at school: instead of her I find a lady who has for her sister a Miss Caroline Vernon: is not this the maid of honour, the sister to Lady G.? the lady who was fond of Lord C., and of whom he was fond? and whom he quitted for an heiress and a pair of horns?\*

Be they who they may, the one is loveliest of matrons, the other of virgins: they have both of them more

\* Miss Elizabeth Vernon, daughter of Mr. Richard Vernon, M.P., whose sister, Miss Vernon, married “Bobus” Smith in August 1797.

than I could wish of reserve ; but it is a reserve of modesty rather than of pride. The quadrupeds, whom you know I love next, consist of a child a year old, a tiger, a spaniel, formerly attached to Lady Shelburne — at present to my Lord — besides four plebeian cats, who are taken no notice of, horses, &c., and a wild boar. The four first I have commenced a friendship with, especially the first of all, to whom I am body coachman extraordinary, *en titre d'office*. Henry (for that is his name), for such an animal, has the most thinking countenance I ever saw ; being very clean, I can keep him without disgust, and even with pleasure, especially after having been rewarded, as I have just now, for my attention to him, by a pair of the sweetest smiles imaginable from his mamma and aunt. As Providence hath ordered it, they both play on the harpsichord, and at chess. I am flattered with the hopes of engaging with them, before long, either in war or harmony—not to-day—because whether you know it or not, it is Sunday. I know it having been paying my devotions—our church, the hall—our minister, a sleek young parson, the curate of the parish—our saints, a naked Mercury, an Apollo in the same dress, and a Venus de Medicis—our congregation, the two ladies, Captain Blankett, and your humble servant, upon the carpet by the minister—below the domestics, *superioris et inferioris ordinis*. Among the former I was con-

cerned to see poor Mathews the librarian, who I could not help thinking had as good a right to be upon the carpet as myself.

“Of Lord Fitzmaurice I know nothing, but from his bust and his letters: the first bespeaks him a handsome youth, the latter an ingenious one. He is not sixteen, and already he writes better than his father. He is under the care of a Mr. Jervis, a dissenting minister, who has had the care of him since he was six years old. He has never been at any public school of education. He has now for a considerable time been travelling about the kingdom that he may know something of his own country before he goes to others, and be out of the way of adulation.\*

“Tuesday, August 28th.

“I have just been playing billiards with Lady Shelburne, Miss Vernon looked on, but would not play, saying she had never played before. There is an event for you. By-and-by I shall come to telling you every time I buckle my shoe. I almost despair of getting them to do the harpsichord. To-morrow, however, the house I hope will be clear; and then perhaps I shall have some chance. The chess and the billiards were her own proposal: the harpsichord I must beg and pray for.†

\* Bentham, Works, x 90

† Bentham, x. 96.

“Friday, August 31st.

“I do what I please, and have what I please. I ride and read with my lord, walk with a dog, stroke the leopard, draw little Henry out in his coach, and play at chess and billiards with the ladies. My lord’s custom is to read to them after tea, when they are at work; and now nothing will serve him but, in spite of everything I can say, he will make them hear my driest of all dry metaphysics. He takes the advantage of my being here to read it in my presence, that I may explain things. This has gone on for several evenings \*

“Sept. 15th, 1781.

“Will. Pitt you know for certain; in his conversation there is nothing of the orator—nothing of that *hauteur* and *suffisance* one would expect; on the contrary, he seems very good-natured, and a little raw. I was monstrously frightened at him, but when I came to talk with him, he seemed frightened at me; so that if anything should happen to jumble us together, we may perhaps, be good *pax*; which however is not very likely: for I don’t know very well what ideas we are likely to have in common. After beating Miss Vernon, I have just been beating him at chess; an inglorious conquest, as he is scarce so much in my hands as I am in yours.†

\* Bentham, x. 97.

† Bentham, x. 100.

“Sept 16th.

“Lord Shelburne values himself much on his friends, and on their mutual fidelity. With Alderman Townshend, he says, he has been connected twenty-two years; with Lord Camden twenty-one; with Dunning eighteen; and with Elliot, I think he added sixteen. Elliot brought in seven members, he says the last time. Gibbon he brought in for private friendship; though as it turned out, much to his regret. Elliot offered, he says, to take his recommendation for some of them; but, at that time, he neglected the offer through despondency.\*

“Wednesday, Sept 19th, 1781

“Barré loves to sit over his claret, pushes it about pretty briskly, and abounds in stories that are well told and very entertaining. He really seems to have a great command of language, he states clearly and forcibly; and upon all points, his words are fluent and well chosen.†

“Sept. 24th

“On Monday Lord Dartrey left us. It was he that pushed the bottle about, and not Colonel Barré. I beg the Colonel's pardon. . . . You can't imagine

\* Bentham, x 101.

† Bentham, x 104.

what a reserve there is in the manners of this house, and how little there has been of gallantry towards Miss V. in the behaviour of all the men that have been here, young and old, so far as I have had occasion to observe.\*

“On Saturday there dined with us a Mrs. Johns. Mrs. Johns was a sort of dependant of Lord Shelburne’s first wife; lives gratis in a little house of my lord’s close by; is a Methodist; comes a-begging to great people for money to give in charity; is a conversable woman, who has seen the world, and has court connections. She has distributed money for the Queen; and though she has the dress and appearance of an upper servant, has had correspondence with all manner of great people, and could be made use of occasionally to put news about.†

“Sept. 30th, 1781.

“After dinner, while the gentlemen are still at their bottle, I steal away to the library, where I meet Lady Shelburne, and wait on her to her dressing-room: there we have music of some kind or other, unless there happen to be ladies in the house who are not musically disposed. When the gentlemen leave the dining-room, or if the weather permit of it, have done walking, we meet them again in the

\* Bentham, x. 106.

† Bentham, x. 107.

library to drink coffee; after which, unless Lady Shelburne wants me to make one at whist, it is absolutely necessary I should be in readiness to play at chess with Miss Fox, whose *cavaliere servente* I have been ever since she came here from Warwick Castle in exchange for Miss Vernon” \*

It was on occasions such as those when Lord Dartrey was passing the bottle, and Barré was in full spirits, that attempts would be made by the guests to extract from their host the secret of the authorship of Junius, which he was supposed to possess.† To an attempt of this character Lord Lansdowne once replied by saying that he knew the secret as much as did the servant who stood behind his chair. This happened to be a negro (possibly the boy whose baptism is mentioned in the first Lady Shelburne’s diary),‡

\* The Hon. Caroline Fox, daughter of Stephen 2nd Lord Holland, born Nov. 3rd, 1767, died March 12th, 1845.

† As to the claims of Col. Barré, Dunning and Lachlan Macleane, to be considered Junius, see the “Papers of a Critic,” by the late Mr. Charles Dilke, who has so completely exploded them, that it is to be hoped they will never be heard of again. As to Lord Lansdowne’s supposed knowledge of the secret, see a letter in the *Morning Chronicle* of Dec. 29, 1770: “Your Lordship will hardly believe there is a man in England who does not believe you to be the author . . . . Mr. Dunning and that arch-fiend Col. Barré will perhaps claim the honour; but, my lord, they are to be looked upon in the same light as the carpenter and mason employed by Sir Christopher Wren.”

‡ Vol. ii. 181.

known in the household by the name of Jacko. Thenceforward he went by the appellation of Junius. Some years after it began to be reported, to the astonishment of the literary world, that a handsome gravestone stood in Calne churchyard, bearing the inscription "Here lies Junius." The great secret it was now thought was about at length to be revealed. The mighty unknown was the person lying underneath the gravestone in Calne churchyard. An inquiry was set on foot; Lord Lansdowne himself was appealed to, but the tombstone was not to be found. It appeared that the vicar had caused it to be removed, for the person who slept beneath was only the black servant, and the stone itself had been surreptitiously introduced into the churchyard by some person of waggish propensities.

It was through Lord Lansdowne that the acquaintance between Bentham and Dumont was formed. The first notice of Dumont occurs in Bentham's works in 1788. Romilly had sent the former some of Bentham's works the MSS. of which were in French, under the title of "un ami inconnu." Dumont offered to rewrite portions, and superintend the publication of the whole, saying that the author was worthy of serving the cause of liberty. Shortly after Dumont was invited to Bowood and became a constant visitor. For a

long time a room in the house was known by his name.\*

Amongst other persons of whom Bentham formed an unfavourable opinion was Priestley, whom he accused of being cold and assuming, and of pretending to have made discoveries which were no discoveries at all.† Their acquaintance, however, did not originate at Bowood, for in 1781 the connection between Priestley and Shelburne was terminated. During his residence at Bowood, Priestley had exercised a general supervision over the care and education of Lord Fitzmaurice and Mr. William Petty, who were being brought up under the immediate care of Mr. Jervis, a Dissenting minister. Mr. William Petty died in 1778, and Lord Wycombe was now growing up. To the former Priestley was peculiarly attached. He speaks of him as having made attainments in knowledge far beyond anything he had known at his age‡ In connection with his death, a story is told which is not an unfair instance of the manner in which ghost stories, and the evidence for them, are invented.

It came to be asserted that the ghost of Mr. Petty had appeared to Mr. Alsop, a Calne doctor, on the night of his decease. Mr. Petty, so the story

\* Bentham's Works, x 184, 185.

† Bentham's Works, x. 571.

‡ Rutt, "Life of Priestley," i 201

ran, caught cold, and was being attended by Mr. Alsop, whose treatment promised a favourable result. Towards evening, however, the symptoms becoming decidedly worse, the family were alarmed, and Mr. Jervis sent for Mr. Alsop. It was night before this gentleman reached Bowood; but the moon showed every object clearly. Mr. Alsop had passed through the lodge gate, and was proceeding to the house, when to his utter astonishment, he saw his patient coming towards him, in all the buoyancy of childhood, restored apparently to health and vigour. "I am delighted, my dear Lord," he exclaimed, "to see you; but for heaven's sake go immediately within doors; it is death to you to be here at this time of night." The child made no reply, but turning round was quickly out of sight. Mr. Alsop, unspeakably surprised, hurried to the house. Here all was distress and confusion, for Mr. Petty had expired a few minutes before he reached the portico. The funeral was directed to take place at Wycombe in the vault which contained the remains of Mr. Petty's mother, and was to halt at two specified places on the two nights on which it would be on the road. Mr. Jervis and Dr. Priestley attended the body. On the first day of their journey the latter, who had hitherto said little on the subject of the appearance to Mr. Alsop, suddenly addressed his companion, with considerable emotion, in nearly

these words: "There are some very singular circumstances connected with this event, Mr. Jervis; and a most remarkable coincidence between a dream of the late Mr. Petty, and our present mournful engagement. A few weeks ago, as I was passing by his room one morning, he called me to his bedside. 'Doctor,' said he, 'what is your Christian name?' 'Surely,' said I, 'you know it is Joseph.' 'Well, then,' replied he, in a lively manner, 'if you are a *Joseph*, you can interpret a *dream* for me, which I had last night. I dreamed, Doctor, that I set out upon a long journey; that I stopped the first night at *Hungerford*, whither I went without touching the ground; that I flew from thence to *Salt Hill*, where I remained the next night; and arrived at High Wycombe on the third day; where my dear mamma, beautiful as an angel, stretched out her arms, and caught me within them.' 'Now!' continued the Doctor, 'these are precisely the places where the child's corpse will remain on this and the succeeding night before we reach his mother's vault, which is finally to receive it.' " \*

It will be observed that the above story consists of two parts: the dream of Mr. Petty, as related by

\* See a pamphlet on this subject by Mr. Jervis himself, "Remarks on some passages in the Literary Recollections of the Rev. Richard Warner, Rector of Great Chalfield, Wilts," where the story as given above first appeared.

Dr. Priestley; and the appearance to Mr. Alsop. Putting aside several minor inaccuracies in the narrative of the Rev. Richard Warner, Rector of Great Chalfield, Wilts, on whose authority it rests, such as the age of Mr. Petty when he died, and the character of his illness, it appears from the statements of Mr. Jervis himself that neither he nor Dr. Priestley attended the funeral, that no communication of the nature mentioned above was ever made to Mr. Jervis by Dr. Priestley, and that the latter never saw Mr. Petty during his last illness. As regards the appearance to Mr. Alsop, it appears to depend on a statement made by Joseph Townshend to Mr. Warner. Townshend however did not state from whom he received it. But the story, says Mr. Warner, is confirmed "by a voucher scarcely to be resisted, the indisputably true report of Dr. Alsop's *viva voce* declaration on his death-bed." Mr. Warner however does not state who received this declaration, nor on what evidence it is to be received as "indisputably true," while Mr. Jervis himself never heard of it nor of the story, till many years after. There is something ludicrous in a ghost story being fathered upon Joseph Townshend, the utilitarian friend of Bentham, and on Priestley, who at this time was engaged on his "Disquisitions relating to Matter and Spirit," the object of which was to prove that man is purely material, and that the

only reason he has to hope for immortality lies in the evidence of the resurrection of Christ.

During the whole time that Priestley was at Bowood his literary activity never ceased. Oratory, Criticism, Metaphysics, Moral Philosophy, and Theology, all successively engaged his active pen. It being probable that the Disquisitions relating to Matter and Spirit would be unpopular, and might be a means of bringing odium on Lord Shelburne, "several attempts," he says, "were made by his friends, though none by himself to dissuade me from persisting in it. But being as I thought engaged in the cause of important truth, I proceeded without regard to any consequences, assuring them that this publication should not be injurious."\* The result was a friendly controversy with Dr. Price, but none with Lord Shelburne. While however busy with theological controversy, Priestley also continued those scientific researches which have given him an enduring fame. It was while at Calne that he made the discovery of oxygen, although he himself never recognised the full importance of his own discovery in its bearing on the phenomena of combustion. "Lord Shelburne," he writes, "encouraged me in my philosophical inquiries, and allowed me 40*l.* per annum for expenses of that kind, and was pleased to see me make experiments to entertain his guests

\* Rutt's "Life of Priestley," ii 203

and especially foreigners. The greatest part of the time that I spent with him I passed with much satisfaction, his Lordship always behaving to me with uniform politeness and his guests with respect.”\*

After some time however Priestley began to think that he observed evident marks of dissatisfaction on the part of Lord Shelburne, who finally intimated to Dr. Price that he wished to give his friend an establishment in Ireland. “This,” says he, “gave me an opportunity of acquainting him that if he chose to dissolve the connection, it should be on the terms expressed in the writings which we mutually signed when it was formed, in consequence of which I should be entitled to an annuity of an hundred and fifty pounds, and then I would provide for myself, and to this he readily acceded. He told Dr. Price that he wished our separation to be amicable, and I assured him that nothing should be wanting on my part to make it truly so. When I left him, I asked him whether he had any fault to find with my conduct, and he said *none*. His Lordship’s enemies have insinuated that he was not punctual in the payment of my annuity ; but the contrary is true.”†

It is probable that the marks of dissatisfaction

\* Rutt’s “Life of Priestley,” ii. 201, 206

† Rutt’s ‘Life of Priestley,’ ii 207. Priestley to Shelburne, May 12th, 1779

which Priestley thought he could detect existed only in his own imagination, and that the real reason of their separation was that already stated. This view finds confirmation in Shelburne some years after having wished Priestley to resume his position at Bowood, in order probably to superintend the education of Lord Henry Petty.

In 1789 Lady Lansdowne died. During her last illness Benjamin Vaughan and Bentham were the only persons permitted to see her. "I write to you," says Lord Lansdowne, shortly after the event, in a letter to Lord Cornwallis, "in the midst of affliction for the loss of Lady Lansdowne. Though I was taught to expect it, long before it happened, I cannot help being excessively stunned by it. I am fighting up against the effects of it, as well as I can, by riding and quiet with a mixture of society which Miss Vernon and Miss Fox, who are so good as to continue the same habits as when Lady Lansdowne was living, are so good as to afford me."\* Lady Lansdowne left one son, the Lord Henry Petty, whom, as a child, Bentham drew out in his coach, and in after years prided himself on having prevented being sent to Oxford, a place, he said, "where perjury was daily practised." Notwithstanding his unfavourable opinion of that university, an anecdote he used to tell in connection with

\* Cornwallis. Carr. ii. vi.

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it is worth preserving.\* When at Oxford with Lord Wycombe, Canning, then a freshman, was pointed out to him by Lord Lansdowne as a youth likely to become the Prime Minister of England.†

\* Bentham, x 88.

† Bentham, x. 221

## CHAPTER X.

## THE FRENCH REVOLUTION.

1788-1793.

THE understanding which existed between Lord Lansdowne and Mr. Pitt, was first disturbed by the conduct of the latter in regard to Indian affairs. Lord Lansdowne considered Warren Hastings to have been the person least to blame for whatever was questionable in the recent transactions in that country, and regarded him as the victim of the political exigences of one party, and of the cowardice of the other. "The Foxites and the Pittites," he said, "join in covering every villain, and prosecuting the only man of merit;"\* and he ordered a bust of Hastings with an inscription commemorative of the ingratitude of his countrymen, to be set up in Lansdowne House.† Another subject of difference soon arose. Lord Lansdowne greatly disapproved

\* Lord Lansdowne to Bentham, 20th January, 1789.

† The bust is now on the staircase at Lansdowne House.

the course adopted at the time of the so-called Declaratory Act. In 1786, during the apprehension of a war with France, it had been resolved by Pitt to send out four regiments for the defence of India. When however the storm had blown over, the Company absolutely declined to pay the charge incurred. On reference to the East India Bill of 1785, it was found that a doubt existed as to the power of the Board of Control to compel payment, and a Bill was accordingly brought in to remove these doubts. Though purporting to be merely declaratory, the measure was most important, and the final subordination of the Company to the Crown may be dated from the time that it passed into law. "Control" now really came to mean "Government."

"It evidently appears," Lord Lansdowne wrote to Morellet, "that the territorial revenue has diverted the attention of everybody concerned about India from every consideration of commerce, and actually cost the commerce 500,000*l.*, upon a balance during the last eight years, instead of the Company's gaining anything from it, as you will see by the paper which I enclose to you, upon the authenticity of which you may entirely rely. It also appears that the administration of the territorial revenues is likely to produce corruption in our home Government by the patronage which must attend upon it,

as well as impede our foreign commerce by diverting the attention of our most capable people from an object of slow to one of immediate advantage, besides the probability of its drawing us into war both with the country and European powers, and at any rate warping and giving a wrong bias to all our negotiations. What however I have most pleasure to observe after the above disagreeable reflections is that our public is open to comprehend and adopt the most liberal ideas, with regard to our foreign dependencies as well as to commerce in general, if Government will but lead them. It is just the reverse of what it is with you. Our people give no equivocal proof of it by their conduct about the slave trade, when the majority of each town which profits by it are loud and enthusiastic for its abolition upon principles of morality, freedom, and commercial honour, and the manufacturers give away gratis the impressions of a pamphlet, of which I send you six.”\*

Consistently with the above opinions Lord Lansdowne opposed the further step proposed to be taken in 1786 in the direction of Government interference in India, nor did the Bill pass from the House of Lords without great difficulty. “Mr. Pitt,” Dundas wrote to Cornwallis, “never had such a set made against him; it was thought necessary to call in the outposts, and the auxiliary troops were brought from

\* Lord Lansdowne to Morellet, 7th April, 1788

place. A Prussian army was marched into Holland, and the Prince of Orange was reinstated in all his rights and powers. It had been expected that France would support the democratic party, but the courage of the French ministers failed them at the last moment, when England declared that she would not remain a passive spectator of events. The complete victory of the Prussian army led by the Duke of Brunswick, was followed by the treaties of Loo and Berlin between England, Holland, and Prussia. These Powers from that date entered upon a long course of gratuitous intervention in the disturbed affairs of the Continent.

War had again broken out in the East, where the Empress Catherine, assisted by Joseph II. was planning the dismemberment of Turkey. Russia declared war against that Power in 1786 and Austria in 1788; while the King of Sweden, overestimating the resources of the Turks, declared war against Russia, and the Danes, at the instigation of Catherine, invaded Sweden. Mr. Elliot was at once instructed to present a remonstrance at Copenhagen, threatening Denmark with the resentment of the three Allies if it did not cease hostilities, and the Danes, knowing that the forces of Russia and Austria were more than fully employed on the side of Turkey, thought it expedient to yield. The diplomacy of the three Powers was next successful

in detaching Austria from the Russian alliance by threats of hostilities in Germany, and of support to be given to the Anti-Imperialist party in the Low Countries. The Convention of Reichenbach, where Austria gave way, left Russia standing alone. A vigorous tone was at the same time taken up against Spain, whose vessels of war had interfered with an English settlement on Vancouver's Island, at a point called Nootka Sound, the property of which was claimed by both Powers.

By these acts of intervention a complete departure was effected from the pacific system which it had been the object of the peace of 1782 to inaugurate. "The King of Prussia died," said Lord Lansdowne, "and a total alteration of English politics ensued. From this era the pacific system was rejected; the ancient language was revived. France was again held out as our natural enemy; England was thought equal to dictate to the whole world. Our Ministers and messengers overspread all Europe. Every Court was to feel terror at the name of Britain; our resources were inexhaustible, and our power not to be resisted. Holland was obliged by force, not upon principle, to return to our alliance. France was dictated to; the Turks were excited to murder the Russians, while proclamations were issued at home for restraining vice and immorality; the Swedes were to complete the humiliation of this devoted power;

Denmark was ordered not to intermeddle; more employment was found for the Emperor in the Belgic provinces, in case the Turks had proved insufficient for the purpose; and all this was to be made to terminate in Nootka Sound!"\*

The only justification of this alteration of policy, lay in the alleged necessity of maintaining the integrity of the Turkish Empire, a political doctrine to which the younger Pitt, differing from his father, had devoted himself. "Your Lordship knows I am quite a Russ,"† Chatham had written in 1773 to Shelburne, and the latter now assured the House of Lords that the deceased statesman had always contended against any connection with the Turks as the *sine quâ non* of his system, declaring such a connection would only lead the country into difficulties.‡ Pitt however threw aside the tradition of the policy of Chatham, and on the 28th March, 1791, the King sent a message to Parliament, that having failed in concert with his allies to effect a reconciliation between Russia and the Porte, he deemed it advisable to increase his naval forces. It was hoped that the sight of the English fleet in the Black Sea, would have the same effect on Russia, as the mobilisation of the Prussian army had had on

\* "Parliamentary History," xxviii 941, 942.

† "Chatham Correspondence," iv. 298.

‡ "Parliamentary History," xxix. 52.

Austria at Reichenbach. War would now have begun had not the country been fortunately wiser than the Ministers. Both in and out of Parliament a storm of opposition arose. In the House of Commons it was denounced by Fox in one of his most celebrated orations; in the House of Lords, Lord Lansdowne vigorously attacked it.\* Pitt recognised the impossibility of continuing the struggle, and abandoned the projected armament. The blow to his prestige however was enormous. It was whispered that a change of ministry might take place, and that the King had been heard to say that his objections to Fox might not prove insuperable. Lord Carmarthen, now Duke of Leeds, resigned the Foreign Office, and Mr. Grenville, who had succeeded Lord Sydney in 1789 at the Home Office, became Foreign Minister with the title of Lord Grenville, Mr. Dundas becoming Home Secretary.

Important however as were the events that were passing in the East, their interest was soon entirely lost in the great changes that had begun in the West, especially in France. His connection with the literary and philosophical classes in France had naturally led Lord Lansdowne to look with favour on the opening stages of the popular movement in that country. As he had already frequently declared, he did not believe in the old doctrine, that

\* "Parliamentary History," xxix. 46

England and France were natural enemies, but on the contrary, considered that if free institutions existed in both, and free trade united their material interests, a greater security would thereby be obtained for peace, progress, and reform, than could be afforded by all the protective tariffs and continental alliances of the old system. During 1789 and 1790 he was kept carefully informed of everything that passed in Paris, not only by his old correspondent, Morellet, but by his eldest son Lord Wycombe, by Benjamin Vaughan, who made more than one journey at this period to the French capital, and by Dumont, who had gone thither to be by the side of his friend Mirabeau, and to assist him with his own invaluable political knowledge, during the crisis of French liberty.\* How much the latter valued his presence, may be seen by the following letter he addressed to Lord Lansdowne, the day after the capture of the Bastille.

“MY LORD,—Vous me rendrez bien la justice de croire que le respect et la haute considération que je professe pour vous, sont moins fondés sur les bontés dont vous m’avez comblé en Angleterre, et sur les marques honorables d’estime dont vous avez daigné me faire passer plus d’une fois le précieux témoignage, que sur les grandes vues d’homme d’état, et

\* “Souvenirs sur Mirabeau,” chapitre i.

de philanthropie expansive, dont votre vie d'homme public a offert un très-beau modèle. Eh bien ! My Lord, c'est au nom de ces principes et de ces sentimens, et de ces conceptions élevées que je viens vous demander une grâce, un service, un bienfait, que je n'aurais nul droit d'attendre de vous, si ma position actuelle ne me mettait à même de joindre pour mon compte le denier de la veuve à votre belle offrande à l'humanité.

“ Monsieur Dumont qui vous est attaché par les liens du plus tendre respect, bien plus encore que par ceux d'aucun pacte social, Monsieur Dumont, quelque attrayant que soit pour lui le spectacle de la plus grande des révolutions et l'espoir très-bien fondé d'y pouvoir concourir, Monsieur Dumont, pénétré de vos inquiétudes domestiques, avide de vous aider dans vos nobles et paternelles sollicitudes pour l'éducation de votre fils à laquelle vous avez le courage de présider seul à ce moment, Monsieur Dumont est décidé à partir pour l'Angleterre, si votre invitation et vos désirs personnels ne le retiennent point ici. Je vous déclare, My Lord, qu'il m'a été profondément utile, parce qu'à une grande connaissance des hommes et des Assemblées politiques, à une longue suite de méditations sur les moyens d'amener et d'affirmer la liberté politique et civile chez un peuple que les circonstances appellent à se constituer, il joint de grands talens, un zèle très-fervent et une âme très-

pure. Le hasard fait que malgré un ostracisme très-systématique et très-étayé de petites passions, j'ai quelque influence sur l'Assemblée Nationale. Vous m'appauvrissez beaucoup si vous m'ôtez, ou plutôt si vous ne me donnez pas pour quelque temps encore Monsieur Dumont. Prononcez, My Lord : mais pensez auparavant, que la Révolution était plus mûre que nous n'étions prêts à la Révolution ; que nous avons besoin d'être éduqués, et qu'une fois formés, nous en formerons bien d'autres : ah ! My Lord, que ne pouvez vous venir vous-même professer le grand art de mériter d'être libres, seul moyen sûr de l'être.

“Je n'entrerais dans aucuns détails sur notre position. Monsieur Dumont ne vous en laisse pas chômer, sans doute : je ne pousserai pas plus loin l'apologie de ma hardiesse ; il me semble qu'elle ne peut pas à un certain point être indiscrete, puisqu'elle est fondée sur la conviction de vos vertus : je vous demande sans plus de formules de laisser mon conseiller privé achever mon éducation, et être mon auxiliaire dans le plus grand œuvre qui puisse être confié aux soins des mortels, et je vous prie d'agréer l'assurance sincère de mon respect, de ma reconnaissance et de mon dévouement.

“LE COMTE DE MIRABEAU.”

“This country,” wrote Vaughan from Paris, “is in a fever, but not of disease ; it is a fever of

enthusiasm and feeling :''\* and like most Englishmen of liberal views in the early stages of the Revolution, he was inclined to expect nothing but good from the new order of things. "If the people of different countries," Lord Lansdowne wrote to Bentham, then occupied on a work on Parliamentary tactics intended for the benefit of his friends in France, "could once understand each other, and be brought to adopt half a dozen general principles, their servants would not venture to play such tricks. I hope when you have given France a legislature, you will suffer nothing to interfere and prevent your pen from further enforcing these principles."†

It is true that at the very outset of the Revolution, Burke had denounced it and everything appertaining to it with the utmost fury, thereby separating himself from his most intimate friends; but his denunciations at first roused no echo even in the party over which he had so long exercised a commanding influence. There was no inclination to go to war with France for the sake of an idea; neither sympathy for extreme views, nor fear of them existed. All the circumstances which were soon to arm a desperate mob in France against the institutions of society, were wanting in England. In France the name of

\* Vaughan to Lord Lansdowne, 1790.

† Lord Lansdowne to Bentham, 29th March, 1789.

the abuses which required reform was legion; the country had long lost all habit of self-government; the King owing to his weakness was popular and unpopular by turns; with perhaps the exception of Mirabeau, there was not a single statesman capable of steering the vessel of the state between the Scylla of reaction and the Charybdis of anarchy; and a most horrible material distress aggravated the difficulties of the situation. In England the King was popular, and a man of strong will; he had surrounded himself with the statesmen whom he had chosen in order to crush faction; an active and healthy love of improvement stirred the pulse of the national life; great reforms had been carried during the last five years, and the country was prosperous. There was no risk of a Terror, either Red or White. Pitt himself denied that any danger threatened England from the contagion of French principles. "Depend upon it," he said to Burke, "that we shall go on as we are till the day of judgment." \*

"The only rock," Lord Lansdowne wrote to Morellet, "on which the French commons can split is pretending to too much. If the liberty of the press is secured, no pretext left for *Lettres de cachet*, the Provincial Assemblies established, and some bounds put to the expenditure, everything else must follow.

\* "Life of Lord Sidmouth," i. 72.

But I cannot help coinciding most entirely with those, who were for the union of the Orders, in consequence of my own experience of this constitution. I look upon M. Montesquieu to be a second saviour of the world, but I have long since considered what he says of our constitution to be very visionary. I imagine it is the natural progress of things to pass from ignorance to pedantry, and from pedantry to simplicity and truth. I have been an observer and some little actor in our government now for 30 years, and I have never seen any good result from the three Orders with us, except the delay, which gives time for the public opinion to operate, and I am sure the nobility in France, will have twice the influence by mixing with the commons, and will do themselves more credit; I mean such as mean the public. Those that have principles that they cannot justify and will not stand discussion, will certainly be able to do more by being shut up and by exercising their veto. I have just been reading M. Necker's memoir about the corn, and cannot express to you how much concern it gave me to see the old leaven in it. I thought he had dropped it. Excuse my petulence in saying so much about what does not concern me, and of which I cannot be a judge.

“All that you say about our government in your letter is exact truth, to which may be added, that ours is like an old house in the country, perfectly

habitable, with good apartments in good repair, though not so good as a new house; yet it would be madness in us to put ourselves to the inconvenience of pulling it down to build another, and therefore it cannot be expected that things can bear a constant comparison. As to your house I look upon it as nearly covered in. The Assembly and the public seem perfectly aware of the importance of keeping the great powers of government distinct, and if they should happen in any particular instance to confound the legislative with the executive, the public opinion will quickly set it to right. Men are deceived by forms, but I do not believe they are ever really governed by them, except in young and barbarous countries. France must shortly become so enlightened, that the public opinion must become in future equally capable and powerful. As to your two pamphlets about the Church funds, it strikes me, as it does everyone, that there is a great deal of reason and good sense in them, as well as in all the Abbé Siéyès says about them. I own I cannot comprehend the debates upon them. What is there so simple as to give a power to the proprietors to buy at a fixed price, (suppose 25 or 30 years' purchase, ours would sell here in an instant at 40) whenever they can afford it. It would incite great economy among the proprietors, and effectually prevent all hardship. This appears to me so simple and so just,

that I must deceive myself about it, else it could not fail to strike the wisdom of the Assembly. As to your own case and that of the *titulaires* I cannot persuade myself that the Assembly will not soften, and in the end do what becomes them. I have always observed that great assemblies, as well as the public at large, are violent at first, but always come round in the end to what is just, and I am confirmed in this opinion by what has passed about the nuns. It is a pity in the meantime that some of the ecclesiastical members should, as they seem to me to do, have recourse to tricks which would better become lawyers, than to bold and open arguments addressed to the justice, the dignity, and the good sense of the Assembly and of the public. But I beg pardon, as you must think me most ridiculous for presuming to criticise men and things especially at such a distance. I am captivated to the greatest degree, as you may easily imagine by the proceedings in regard to the East and West Indies. M. Barnave promises to be very eminent, if the ideas were suggested by him to the committee, or indeed if he composed the Resolutions, which are admirably expressed. As to myself I am arranging and adapting my habits of life, as well as I can to the circumstances in which I find myself. I am endeavouring to form a rational society at home, as I do not like to go in search of it, and whenever you choose to make a part of it

you will do us all great pleasure. Your *aristocrates* feel a great deal, and are in consequence led to express themselves sometimes warmly. M<sup>me</sup> de Boufflers is in this case, but you know she was always more in your style, and Madame Helvetius in mine, to whom I beg you will say everything that is kind and respectful. I hope if she quits Paris she will not think of coming to any country but to this, and to no house in this in preference to mine.

“Your revolution is excessively hard upon individuals, but the effect it must have upon the whole world exceeds all power of imagination. We must contrive to meet once more before we die to talk over such great events, and their consequences. I am entirely taken up making love to my son, who as happens in all loves is more or less of a coquette, but all will do very well. The ladies desire to be particularly remembered to you. Miss Fox took all the pains possible with her brother’s guardians to get them to buy your library for him. We all beg to be affectionately remembered to the Bishop of Chartres. Is he a Non-juror? If so I hope he will come and spend some time with us at Bowood.” \*

\* Lord Lansdowne to Morellet, July 10th, Nov. 13th, 1789; 26th March, 1790; 13th Feb. 1791. On the 2nd November 1789, the National Assembly passed an Act declaring the property of the Church to belong to the State. On the 17th of March 1790, it ordered the sale of national property up to a value of 400,000,000 francs.

The King's speech on the 31st of January 1792 spoke the language of confidence, and announced a reduction in the naval and military establishments. The cause of reform continued to advance; the law of libel with the unanimous consent of all parties in the State was altered in the manner for which Shelburne had vainly contended in 1772. It is curious that the proceedings, which were the immediate cause of this much needed alteration, originated with Mr. Fitzmaurice,\* who had abandoned political life and was now living in Wales, where he commenced the memorable proceedings against the Dean of St. Asaph, by preferring a bill of indictment against him for the publication of "the Dialogue between a Scholar and a Farmer" a pamphlet showing the defects which existed in the representation of the people in Parliament.

"From the wisdom and temper," Lord Lansdowne wrote a short time after the death of Mirabeau, "which has been shown by the Assembly in their late proceedings, it may be expected that they may still find means of uniting all parties. No concessions can be too great provided they do not affect the great landmarks of the Revolution.

"Nothing is to be apprehended from *within*, but what is in the power of the Representatives to prevent or overcome. In the English Revolution of

\* See vol. i. pp. 7, 312; ii. p. 249.

1688, a great majority of the people of Great Britain were attached to King James, and continued so for three reigns, those of William III., Anne, and George I. I have myself known old people who remember cannon being placed at Whitehall to awe the people, and prevent George the First from being insulted when he went to Parliament. The Restoration of Charles II. was easy, because the law remaining unaltered, of which the King was the life and soul, and he being absent and not replaced, all was confusion and anarchy. Nothing can be more impudently false than what Mr. Burke says of the Government of Oliver and Richard Cromwell, as is proved by Whitelocke's Memorials, the Parliamentary History, and Cromwell's Speeches to his different Parliaments and Assemblies; where he states, I believe truly and sincerely, the difficulties of the times. But in France it is just the reverse of all this. The law has been changed in the first instance, and the proceedings rendered independent, and a great majority of the people are in favour of the Revolution.

“If danger is to be apprehended, it can only be from *without*. This is improbable, because, the body of aristocrats under the Princes can make no effort, however secretly assisted by any Power, which will not strengthen the Revolution; the reasons are too obvious to be worth detailing.

No Power of any consequence will venture to interfere, without a general junction of the *Continental* Powers, (for England will and must be out of the question) which is highly improbable. First, it is unprecedented. No such thing took place when Holland threw off the Spanish yoke, or in favour of Charles or James II., which two last instances called for it much more than that which now exists in France. The Emperor is a politic person, and under some concealment an ambitious prince. What inducement can he have to resign his alliance with France, by which the House of Austria always has and always must be gainers? What can justify him in risking his possession of the Low Countries, and the quiet of his dominions, particularly Hungary? The House of Austria have hitherto rejected all private understanding with Prussia. What reason is there to suppose that the present Emperor will on a sudden change the system, and passions of his family? All that passed at Reichenbach and private anecdotes, so far as they are to be trusted, give reason to believe exactly the reverse. What can induce him to lay himself at the mercy of his mortal enemy, which he does the moment he interferes openly in France? The King of Prussia may change his mind, he may change his ministers, the temptation may be too great. What advantage can he possibly figure to

himself to balance *any*, much more *all* these risks? It would be a refinement to suppose that he takes up the aristocrats as the weaker side with a view to weaken both, and get Alsace in the scramble, for he has still the King of Prussia at his back.

“Supposing however a general league to be formed in opposition to all precedents, to the nature of things, and to all political calculation. What difficulties will they not have to encounter? An offensive war against twenty-five millions of people, a proud high spirited nation enthusiastic to a degree of desperation, insulted with the very idea of invasion, with greater means than all the rest of Europe can furnish, and England out of the scale. Recollect the resistance and success of America, the length of time and money which it took to reduce Corsica, the defeat of the Spaniards when they attempted to invade Algiers. Besides the peoples of Europe may negotiate together as well as the sovereigns of Europe. The people of Flanders, Holland, Savoy, Hungary, Spain and even Portugal have all discovered more or less disposition to assert their original rights, besides Poland. There is reason to believe it might extend to Moscow.\* There is no instance in history of any great league of princes lasting long. It is to be presumed that the French representatives will not be idle, but en-

\* Compare “Lord Lansdowne to Bentham.” Works, x. 198.

deavour to detach some of the parties. There is not a Northern Potentate, who could resist the offer of a West India Island or an East Indian factory, and there are many who think France would be stronger and England too, without any of either, if they could be sure of their not being monopolized.

“Supposing last of all the invasion successful—Is France to be kept like a conquered country, or is it to be awed as Holland now is, by England and Prussia with the aid of some German troops? The idea is too absurd.—But the aristocrats themselves do not wish the return of Despotism. In general they wish to stop at the English Constitution, which purified as it must be when newly instituted, is very different from the corrupted state of it after so many years’ service.

“The Church lands which are sold can never be restored. Queen Mary of England who succeeded immediately after the Reformation, easily persuaded the aristocrats of those days to change back to popery, but she could prevail on no one to restore the abbey lands.

“The nonsense of feudality can never be revived. The people can never be taxed again without the consent of some representative body consisting of one or more Houses. The Bastille cannot be rebuilt. The administration of justice and feudality cannot again go together.

“These fundamental points I call the Revolution, and must insure the essence of freedom. The rest, supposing the worst to happen, may be very safely left to public opinion and to the light of the times. Public opinion once set free acts like the sea neverceasingly, controlling imperceptibly and irresistibly both laws and ministers of laws, reducing and advancing everything to its own level. After what has passed in France the most violent despotism cannot efface it.”\*

Such was the state of feeling in England during the opening stages of the French Revolution. Gradually a change began. One of the first proofs of it was given in the Birmingham riots of July 1791.

In the great speech which Burke delivered against the French Revolution on the 2nd March, 1790, he had attacked his old enemies, the Non-conformist ministers, reading extracts from the writings of Price and Priestley, from which he argued that the Church Establishment was in more serious danger in England, than it had been a year or two before in France. The sermon from which he especially quoted was that which Price had delivered at the chapel in the Old Jewry on the anniversary of the English Revolution, in which he expatiated on the brilliant prospects now opened to the world

\* Lansdowne House MSS.

with such irresistible eloquence, that his audience was hardly restrained by the sacredness of the place from bursting into open shouts of applause.\* Shortly after, on November 4th, 1789, Price moved and carried a congratulatory address to the National Assembly of France from the Society for commemorating the Revolution in Great Britain, which was transmitted by the chairman Lord Stanhope to the Duc de la Rochefoucauld, to be presented by him to the Assembly. The publication of the "Reflections on the French Revolution" was the answer of Burke. In it Price, Priestley, and their friends were held up to public odium as sophisters, economists, and calculators, who had destroyed the age of chivalry. Priestley at once retorted with a "Reply" to the "Reflections." A host of combatants soon joined the wordy fray, and although Burke denounced Price and Priestley as "political theologians," and reminded them "that no sound ought to be heard in the Church but the healing voice of Christian charity,"† the pulpits of the Church of England resounded with language at which, according to Mackintosh, "Laud would have shuddered, and Sacheverel would have blushed."‡ The result of the language of these theological incendiaries was seen in the riots of the

\* "Memoir of Price," by Morgann, 154.

† "Parliamentary History," 2nd March, 1790.

‡ Mackintosh, iii 165

14th July 1791, when Priestley's chapel and his private house were destroyed, his books and manuscripts burnt, and his philosophical instruments destroyed. Nor did the ruin end there ; and for four days, neither the lives nor the property of any well-known Nonconformist in Birmingham or its immediate neighbourhood, was safe from the brutal outrages of the Church and King mob. It is possible however that the Birmingham riots might have caused a liberal reaction, had not the political horizon in France meanwhile become darker and darker, while Burke in gloomier and gloomier accents announced the arrival of a universal cataclysm, in which law and order, property and religion, were alike to be swept away. The Whig party listened. Men began to talk of the necessity of a strong Government, and of a junction with Pitt. But Pitt at the moment was discredited by the failure of his Russian policy ; the star of Fox might still be in the ascendant, and Fox cared nothing for the vaticinations of Burke. Thus it came to pass that the negotiations for a coalition carried on by Lord Loughborough in the beginning of 1792, came to nothing. During their continuance, the King, weary apparently of the domination of Pitt, suddenly bethought himself of his old Minister, and sent to Lord Lansdowne, to obtain his views on the situation. This rapidly became known, and Gillray represented him driving

to St. James's Palace, with the dove of peace flying before his carriage. He leans out of the carriage and shouts, to the coachman, "Drive you dog, drive, now or never. Aha! the coast is clearing! Drive, drive, you dog." Fox, Sheridan, and their friends, hang on behind and call out, "Stop, stop, take us in, stop!" In the background Pitt and Dundas are seen leaving the palace.

To the overtures of the King, Lord Lansdowne replied as follows :—

"If the King wishes to change his Ministry, there are two means of doing it. In proportion as he adopts more or less of each he will do it with more or less reputation, effect, and safety.

*Men or*

*Measures.*

"First as to *men*. The most obvious and what has been the uniform practice since the accession of the Hanover family to his Majesty's accession, is to have recourse to the predominant parties at the moment, and for the King to give his confidence blindfold to the most numerous, or to such a combination as the different parties can form amongst themselves, subject to some few reserves. But, it is to be presumed, this of all others is the last means to which he would have recourse, as it has been the object of his reign to break up all party, if not to form one of his own, and he has repeatedly

declared, that he would rather retire to Hanover, than submit to such humiliation. On the other hand it is much to be feared that the leading Members of the House of Commons, which is all that is wanting to set a new system forward, are so few in number, and so entangled, and so circumstanced, that they cannot be counted upon without in the instance of Fox, taking in his party, or in the instance of Pitt, a degree of submission which is the very point in question.

“Everything else must be considered in the nature of experiment, and so far hazardous; for if the present attempt fails, no intrigue to secure an after game will do more than weaken a system, which will require every possible aid to support itself at setting out. If Sheridan could be gained, (which is not certain) it could be considered in no other light, and as to taking up anybody else to lead the House of Commons, the subjects which offer are so very young and inexperienced, that public opinion stands a chance of being forfeited in the first instance, and the new system blown down, before there is time for other means to operate.

“It may be alleged that occasions never fail to create men, and that the experiment has been tried with success in the present reign in the instances of the late George Grenville, Lord North, and the present Pitt; when the King in each instance risked

his Government in the face of men who possessed the confidence of the public in a high degree, and of the same party, which exists at present, when they were more formidable in some respects than they are now, though not in others. But it must be considered, that they have above twenty years' experience and habit of the public, that they have been joined by all the King's sons, whose union and activity is well known, that America has been lost, the Court made captive in 1782, and felt to be fettered very unwillingly during the present Administration; while the pretensions of *men* have been excited to the most unreasonable pitch. There are still other circumstances, which might be stated to show that it is not a moment for trying any light experiment.

“On the other hand it may be asserted with truth, that the public opinion goes more in favour of the King than of any party whatever, that the present Opposition are collectively and individually odious, that there are many revolting circumstances about the highest personages, who avow their support of Opposition, that the popularity of the present Ministers is of a flimsy texture, founded upon no real services, and may be easily cut up, and that the new principles as well as the letter of the Constitution go to keep the Executive independent of the Legislative, much more of any cabal or party, which can be formed in either or both Houses of Parliament, and

that there is no risk in appealing to the people against any such, was sufficiently evinced in 1784. All this is true, and may be acted upon in time, but at setting out it requires to resist the cry of the moment the most unequivocal proofs of the laws being incorrect, and the fullest and most unreserved power to gain over as many individuals and knots of men as possible, in order to be secure at least as to numbers in the House of Commons, till the public can be got to hear without prejudice who may be intended. This leads to the consideration of *measures*, which should be resolved upon as early as possible as the only means of gaining the confidence of the public, by teaching them as well what they are as what they are not to exact, and by this means preventing disappointment or surprise, or anything being left to the old Opposition or to the ministers who go out, to take credit for, which should never be allowed.”\*

Such was the reply of Lord Lansdowne; but nothing more was heard from the King, and the negotiation came to an abrupt termination.

Pitt however was not blind to the signs of the times and in the indignation caused by the events in France, he saw his own opportunity as well as the chance of saving Europe. In proportion as power began to pass from the reforming to the purely

\* Lansdowne House MSS.

revolutionary party, the dread of French principles became more and more pronounced in England, and the Russian miscarriage became entirely a thing of the past. In the course of 1792 war had been begun by Austria and Prussia against France; the demand began to make itself heard that England should join the allies in their new crusade, and Russia soon came to be regarded as a desirable ally. It was believed that England was swarming with foreign emissaries intent on the destruction of all the most cherished institutions of the country. When Chauvelin, accompanied by Talleyrand, arrived as French Ambassador, he was received by very few members of the best society in London, except Lord Lansdowne.\* Generally the two French Envoys were regarded with curiosity, but it was the curiosity of aversion.

For some time yet however Pitt hesitated what foreign policy to pursue. His mind was more rapidly made up on home affairs. On the 21st May 1792 the first signs of the change, which had come over the spirit of the dream of the Prime Minister appeared. A Proclamation was issued against the publication and dispersion of seditious writings. It was generally understood to be aimed at the Declaration of "The Friends of the People

\* Talleyrand to Lord Lansdowne, 1792. "Souvenirs sur Mirabeau," p. 358.

associated for the purpose of obtaining a Parliamentary reform," agreed to on the 26th April, when it had also been resolved to ask Mr. Grey to bring forward the subject in Parliament. On Mr. Grey giving notice of his intention to do so, Pitt at once took the opportunity of declaring how much his opinions were altered, since the time when his name was associated with the question. He called Reform under the circumstances a hazardous experiment, and pointed to France as a warning. Even the Duke of Richmond, once the champion of universal suffrage, appeared as a convert to his views, and thereby drew on himself the taunts of Lord Lansdowne in the debate in the House of Lords on the Proclamation.\* "He was astonished," Lord Lansdowne said, "at the constructive danger, on which they were called upon to approve of the Proclamation; much more at finding it supposed to glance at an association lately instituted for the purpose of reform. The principles of that association had been supported by members of the present Cabinet. One of the most distinguished members of the Cabinet had called upon him to run the risk of sacrificing the Administration of which he had the honour to make a part, to the support of those very principles of reform.† To those principles

\* 31st May, 1792.

† The Duke of Richmond.

he verily believed that Administration had fallen a sacrifice ; and he had too high an opinion of the person to whom he alluded, to believe that he could approve of any measure that tended to throw discredit on principles which he himself had once professed. To impute improper motives to those who had now embarked in the same cause was ungenerous and uncandid. He had little knowledge of any of them but Mr. Grey, the son of an old and much respected friend ; and him he knew to have an hereditary claim to honour and integrity, and to every virtue that entitled a man to solicit the confidence of his fellow-citizens. It was cruel to those who had themselves supported the very same principles, to class such men with those who wished to overturn the Constitution. It was said that there was no knowing where the reformers would stop, that if they obtained a moderate reform, they would contend for an indefinite reform, inconsistent with the principles of the Constitution. Was this a decent mode of arguing ? If he was indebted to a man the sum of 100*l.*, would it be proper to say when asked for it, “ I will not pay you this 100*l.*, because if I do you will ask me for another ; and there is no knowing where your demands will end ! ” Surely the proper way would be to pay first what was due, and resist with firmness the demand of what was not . . . . He trusted he should never see

anarchy, or anything like anarchy, introduced into this country; as little did he wish to see it engaged in seconding the combination of kings against subjects, the power of arms against the progress of reason. On this subject he had never been without his apprehensions since our interference in the affairs of Holland. It was wise and meritorious to prevent that country from becoming the dependant of France; but when he looked at the sort of interference employed for that purpose, his mind recoiled from the view; while he approved of the end, he could not but condemn the means. In such an interference in the internal affairs of any country, he hoped this nation would never more be concerned. Let us be content with the prosperity which was pouring fast in upon us, from the distresses and confusion of other countries; let us not seek to augment it by indirect means. If seditious writings were disseminating among the people, in God's name let them be prosecuted. Of the Proclamation he disapproved entirely. It was not calculated to intimidate, but to provoke; not to quiet but to alarm; to irritate if there was a viper in the country; if a toad, to call it forth."\*

Notwithstanding these and similar declarations, on almost every occasion when Lord Lansdowne rose to speak during the troublous years which followed,

\* "Parliamentary History," May 31st, 1792.

he was met with open accusations or covert insinuations, that because he refused to abandon his desire for Parliamentary Reform, because he believed that the ordinary law of the land was sufficient to keep down whatever excesses the advocates of extreme opinions might be disposed to commit, he and his friends were therefore Jacobins in disguise, and the friends of sedition and anarchy. It was idle to protest. Had not the Convention, it was asked, voted the title of French citizens to his friends, Joseph Priestley and Jeremy Bentham. The terrible events in France, the massacres of the 10th of August and the 2nd of September 1792, had unnerved the minds of men. A panic arose, and the friends of order called on their representatives to pass laws recalling the memory of the days of the Stuarts. Priestley left England in despair to go to America; Benjamin Vaughan shortly after followed his example; Price fortunately for himself had died in the previous year; Bentham in vain addressed an eloquent plea to the Convention in favour of justice and mercy. The storm none the less continued to rage against them with undiminished vigour.

On the 21st December 1792, Lord Lansdowne moved a resolution in favour of sending a Minister to France, in order to represent the feelings of the English Government for the unhappy situation of "*Louis XVI.*," and to use his best endeavours in

exhorting the Convention, not to suffer any danger to arise to his person. Lord Grenville in reply said that he never in his life heard words that conveyed so much horror to his mind as those which Lord Lansdowne had adopted. The manner in which the unfortunate monarch in question was described, was precisely that which was used by those who were heaping upon that amiable prince every species of indignity. The only appellation they gave him was that of "*Louis XVI.*," an appellation purposely meant to point out the man as distinct from the kingly office and dignity, which they themselves had sworn to maintain to him and his posterity. This was not the way in which England was accustomed to treat the Sovereigns of Europe; and he trusted the House of Lords would have too much regard for their own honour and for that of their country, to adopt the language of men whose actions were calculated to inspire horror and detestation.

And yet no body of men were more thoroughly aware than Lord Lansdowne and his friends of the injury being done by the Jacobins to the cause of the Revolution itself. Lord Holland wrote from Berlin of the 2nd of September: "It was a melancholy day—a day which no man really attached to the cause of liberty can think of without regret, and which gives a handle to every prejudiced or interested Royalist throughout Europe to inveigh

against the principles of the French Revolution. I am sure," he went on, "you must agree with me in lamenting that so glorious a cause as the enfranchisement of such a country as France is supported by people and individuals, whose conduct upon several occasions not only does not claim respect but excites both horror and contempt. However notwithstanding all this, the defeat or failure of the combined armies must give a good Englishman, that is a selfish one, great pleasure. We have more to fear from the encroachments of the King and Administration than from that of the people, and who can say, had France been conquered, whether our turn would not have come soon. The same benevolent reasons which induced the kings to make war against France, might have also inclined them when flushed with success to quiet that troublesome House of Commons and silence the impudent pamphleteers of London." \*

Of a similar character were the thoughts of Dumont, who as he believed at the time, had watched over the cradle of French liberty, but now saw Saturn devouring his children; and of John Adams, who knew the difference between liberty and anarchy. "I walk about half the day," the former wrote to Romilly from Bowood, "in a state of the greatest agitation, from the impossibility of

\* Lord Holland to Lord Lansdowne, Nov. 6th, 1792.

remaining still, with my thoughts fixed upon all the sad events which are flowing from a source whence we had flattered ourselves human happiness was to arise."\* "I think," wrote Adams to Priestley, who forwarded the letter to Lord Lansdowne, "that all the ages and nations of the world never furnished so strong an argument against a pure republic, as the French have done. I speak without reserve, in unqualified language, because I am sure, as I am of the future existence of the world, that a very few years will force France into a mixed republic, or into the gulf of destruction." †

English reformers were now between two fires. "I need not tell you," Lord Lansdowne wrote to Morellet in reply to the suggestions of a common friend that he should personally intercede with the National Assembly on behalf of some of the condemned, "that we should both of us be just dragged through the kennel and afterwards roasted to powder; or if in their mercy I should have any remains left, they would only serve to be hashed up *here* in as many ways as your cooks dress eggs." ‡

But even apart from political considerations, there was enough in the events of 1792 and 1793 in France to sadden the mind of the society which gathered at Bowood. How many of the brilliant

\* Dumont to Romilly, 1793.

† Adams to Priestley, Feb. 27th, 1793.

‡ Lord Lansdowne to Morellet, 1792.

group which in former days Lord Shelburne had seen gathered in the *salons* of Mme. Geoffrin and Mme. Helvetius were now perishing by an untimely end; how many more, like Morellet, were beggared, or like Vergennes driven into exile,\* or only awaiting the moment when they were to follow their friends and their relatives to the scaffold. "Melancholy news! my dear Lord," wrote Bentham on the 10th of September 1792. "By and by there will not be a single honest man left in that accursed country. Liancourt was to have dined here; instead of him comes a note that Rochefoucauld is murdered. It is enough, I doubt not, to spoil your dinner, as it has mine."† "Hélas," wrote Morellet, "j'ai été trop près pour mon malheur de ce terrible spectacle d'une révolution. J'ai vu tomber autour de moi une foule de gens intéressans pour ceux-là même qui ne les connaissaient pas, et un grand nombre de personnes avec lesquelles j'avais passé ma vie et je comptais la finir. Toute la famille Brienne; la famille Malesherbes; les deux Trudaines; M. et Mad. de Boisgeslins, Mad<sup>e</sup>. de Grammont, Mad<sup>e</sup>. de Biron, M. de Thiers, M. de St. Priest, M. de la Borde; plusieurs fermiers généraux avec lesquels j'étais lié, etc; et j'ai été témoin de ces assassinats, forcé

\* The younger Vergennes who in 1782 came to England with Rayneval.

† Bentham to Lord Lansdowne, Sept. 10th, 1792.

soit par les lois tyranniques, soit par l'impossibilité de trouver à vivre ailleurs ou d'y vivre avec quelque sûreté, forcé, dis-je, d'habiter la ville de sang où ce spectacle se renouvelait tous les jours tout près de mon habitation, n'ayant plus d'autre sentiment que l'indignation et l'horreur, honteux d'être homme et d'appartenir à un peuple non-seulement assez lâche pour souffrir tant d'atrocités, mais assez féroce ou assez stupide pour en repaître les yeux tous les jours. . . . Tantôt l'indignation même m'a poussé à conserver le souvenir des horreurs dont j'étais le témoin, et tantôt le spectacle des grands mouvemens politiques m'a conduit à en rechercher et en étudier les causes, et à analyser de nouveau toutes les questions de philosophie politique qu'ont fait élever les agitations de notre gouvernement, et l'activité continuelle d'une législation inquiète et mobile qui a touché, changé et altéré toutes les relations sociales." \*

Amongst others who thought it advisable to be absent from France till the tyranny was overpast, was Talleyrand. Escaping from Paris after the 10th of August by the help of a passport obtained from Danton, he arrived in England, and is described by Lord Holland as a constant visitor at the little lodgings in Half-Moon Street, where Mme. de Flahault, who by the assistance of Lord Wycombe

\* Morellet to Lord Lansdowne, 1796.

and "Bobus" Smith had escaped through the populace with the MS. of her novel 'Adèle de Senanges' and her infant son in her arms, entertained nearly the same society she had formerly received in her house in Paris. M. de Flahault had been captured at Arras and guillotined.\* From England, Talleyrand went to America, the bearer of the following letter to Washington from Lord Lansdowne :—

*Letter from the Marquis of Lansdowne to President Washington.*

"London, March 2nd, 1794.

"SIR,—M. Talleyrand-Périgord, late Bishop of Autun in France, does me a great deal of honour in supposing that a letter from me may be of use to him with you. I am too much flattered by the supposition to decline taking that liberty; but I have a more powerful motive, which is, to do justice to a most respectable individual, suffering under a great deal of combined persecution. M. Talleyrand is the eldest of one of the first families of France. He was bred to the Church on account of an accidental lameness at his birth, and must have succeeded to the highest honours and emoluments if he had not

\* Souvenirs sur Mirabeau, 363. Lord Holland's Memoirs, i. 19. Minto Papers, ii. 91, 125, 140.

sacrificed his ambition to public principle, in which however he preserves so much moderation as never to pass the line of a constitutionalist, which exposes him to the hatred of the violent party now predominating.

“He has resided in England near three years, during which time he has conducted himself, to my intimate knowledge, with the strictest public and private propriety, so as to give not the least cause of jealousy; but is now exiled from hence in consequence of the earnest and repeated desire of courts, who, being under the influence of the French ecclesiastics, can never pardon in a bishop a desire to promote the general freedom of public worship which M. Talleyrand has uniformly professed. In the present situation of Europe, he has nowhere to look for an asylum, except to that country, which is happy enough to preserve its peace and its happiness under your auspices, to which we may be all of us in our turn obliged to look up, if some bounds are not speedily put to the opposite storms of anarchy and despotism, which threaten Europe with desolation. M. Talleyrand is accompanied with another constitutionalist, M. Beaumet, a person of distinguished probity, courage and love of instruction. I have the honour to be, with the highest respect and veneration, Sir, &c.

“LANSDOWNE.”

Fox, and Grey, under the auspices of Chauvelin, and to this party they refused to belong. "I will not serve under Captain Sheridan, or Colonel Price, nor yet Generalissimo Lansdowne," said Sir Gilbert Elliot, "nor could I be reconciled to any corps emanating from them, even by seeing Fox at the head of it." \*

The same circumstances which led to a final estrangement between Lord Lansdowne and Pitt not unnaturally led to a reconciliation with Fox, who had now finally emancipated himself from the intellectual thralldom in which Burke had so long held him.

In 1792 at the opening of the autumn session, Lord Wycombe, who had entered public life with injunctions from his father "to take a manly part in politics, be it Aristocrat or Democrat or else a respectable quiet part," † opened the opposition in Parliament, deprecating the alarm expressed at speculative opinions, and censuring the injustice of the violent policy advocated by Burke. Although his speech was generally considered to have been very able, "Mr. Pitt," says Lord Holland, "treated him with much insolence and scorn; and that circumstance, and the approach of war, confirmed Lord Lansdowne in opposition. I cannot decide," he

\* Malmesbury Correspondence, ii. 457. Life of Lord Minto, Dec. 22nd, 1792.

† Lord Lansdowne to Lord Wycombe, Sept. 16th, 1790. The Lord Wycombe mentioned here is the Lord Fitzmaurice of the previous chapter.

continues, "whether Mr. Fox's warm approbation of Lord Wycombe's sensible speech, and his defence of him when attacked by Mr. Pitt with a fury little creditable to his head or his heart, had the effect of inclining Lord Lansdowne to a union with Mr. Fox, or of estranging his suspicious temper more from such a measure. He had many conversations with Mr. Grey, with whose father he was much connected, and with me, then a boy of nineteen, on the subject.

"What passed with Grey I know not. I told him that their common disapprobation of the war, and of the system, both domestic and foreign, adopted by Ministers, would insensibly draw them more cordially together than any understanding or treaty at so early a period. I added that Mr. Fox had been so long politically connected, and was so personally attached to many of those leading men with whom he now differed, that public duty, appearance to the world, and, above all, his own affectionate feelings, would indispose him to seek any new connections, or to break through his old engagements, till those with whom he had formed them acknowledged that it was impracticable to preserve them with mutual honour. But as the objects of Lord Lansdowne and Mr. Fox were peace and reform to a greater or less extent, I thought that in the pursuit of those objects they must ultimately meet and assist each other.

"I perceived there was not much reliance on either side on the other's professions or intentions, and I let both see that I thought so. I was diverted at observing that Lord Lansdowne throughout attributed the backwardness of the Whigs to Mr. Fox's jealousy of him, whereas Mr. Fox was, of the whole party (with the exception of Mr. Grey), the least disinclined to him, and the others had not only a distrust, but an unwarrantable hatred, of his very name." \*

Early in 1794 it was intimated to Lord Lansdowne that a more definite explanation was wished for by Fox. "Is the explanation proposed," he replied to Lady Ossory, who with his sister-in-law Lady Holland and his niece Miss Fox, had for some time past been trying to effect a reconciliation between the two statesmen, "to be limited to that object, or is it to be extended to an union avowed, or otherwise ?

"The advantages resulting from an union I need not mention, they are better understood than I am capable to explain.

"Some *disadvantages* will arise, the most important are :

"To abandon the present distinct, detached, and if I may be allowed the expression, *independent*

\* "Memoirs of the Whig Party," by Lord Holland, vol. i. pp. 44, 45.

situation, which may produce an effect on the minds of the public or in the closet.

“With regard to the *public*, I should rather think such an abandonment would be an advantage; they do not understand refinement, however correct, and distinct; nor can they relish any political system unless it is *en gros, et en corps*.

“With regard to the *closet*, which is the most important, it is far beyond my depth to form an opinion, although I could offer arguments on both sides, and perhaps *all* these arguments without the least foundation.”\*

The chief obstacle to any reconciliation was Richard Fitzpatrick, who continued to regard his brother-in-law with the most bitter aversion; ultimately however his objections also were overruled, chiefly as it would appear from the determination of Lord Holland, and Mr. Grey, and other of the younger members of the Whig party not to allow the old animosities of their seniors, to stand in the way of what they themselves recognised to be a necessary step. So Fitzpatrick gave way with a growl. “Since the tergiversations of all parties of politicians,” he wrote to Lady Ossory, “all objections to individuals must cease. When there is a disposition to reconciliation with Lord Lansdowne, a backwardness to join in it on my part would merely be improper,

\* Lord Lansdowne to Lady Ossory, 1794.

and at least there are advantages of a private kind, such as meeting Miss Vernon and Miss Fox there, which may compensate." \*

It was probably a complete divergence of opinion on politics, which at this period led to an estrangement between Barré and Lord Lansdowne. The blow to the latter was heavy, for it was the termination of a friendship which had lasted without interruption for more than twenty years. "I take it for granted," Lord Lansdowne wrote to Bentham, "you do not mean to give up Bowood for the summer. We reserve till then telling you all we think about the Colonel; but there must be nothing of old kindnesses in little or in great character. Though I do not pretend to rival Mr. Pitt, I am enough of a negotiator to know the danger of suffering principles to be lodged." † Barré vacated his seat in Parliament, and was succeeded in the representation of Calne by Benjamin Vaughan; ‡ to the great disappointment of Bentham, who was under the impression that he was going to be returned. He expressed his disappointment, in a letter of sixty-one pages, accusing his patron of the breach of an engagement, commenting also with great bitter-

\* Fitzpatrick to Lady Ossory, 1792.

† Bentham, x. 258. June 20th, 1791.

‡ For a few months the seat was held by Mr. Morris, probably during the absence of Vaughan in France.

ness on the absurd condition of the present rump of the *ci-devant* Shelburne party, and the character of his friends, and urging him once more to try to assume a leading place in Parliament. "The curious thing," he said, "is that there is nothing I could say to you of their insignificance in which you have not gone before me." To this strange effusion Lord Lansdowne replied in a letter which the Editor of Bentham's works allows does the writer great credit. After explaining that no offer such as Bentham imagined, had ever been made, he went on to say: "Now that I know your wishes, I assure you that it will give me great pleasure if I can contribute to the completion of them; and that I will spare no pains for the purpose, so far as consists with the engagements I have, express or implied, which have taken place when I was totally ignorant of your inclinations, and which I do not think requisite to state, feeling the discussion of them unbecoming towards myself and others, from the same motives of delicacy which would influence me in your case, *mutatis mutandis*. But I must annex two conditions—one, that it must not be considered as the consequence of any past engagement, which I am now disclaiming; another, that it shall not be understood to be with any political view, for you quite mistake my plans. I wish well to what I call the new principles, and will promote them so far as a free declaration of my

own sentiments in public or private will go ; but politics have given long since too much way to philosophy, for me to give myself further trouble about them. I would as soon take England upon my back, as take the trouble of fighting up a second time the game to which you allude. If I plant any more, I have long determined that it shall be like the birds: the trees must depend on the nature of the soil. I will bestow no pains on fencing, much less manuring and dunging them.

“I am now only afraid that you will be angry that your sixty-one pages have not on the one hand had the effect of subduing or terrifying me ; or on the other, made me angry ; and that you apprehend them to be thrown away. They have not occasioned to me one moment’s irritation ; but they are not thrown away. I select, with satisfaction, the seeds of esteem and regard which I perceive interspersed. It is no small pleasure to me to reflect that, open and unguarded as I am well known to be, in such intimate habits as I have indulged with you, I have exposed myself so little. I see the merit of the advice which is mixed, which, if I was as perseveringly ambitious as you suppose, is as good as any Lord Bacon could have given to the Duke of Buckingham ; and though the rest is at the expense of myself and of friends whom I highly respect and esteem, concerning whom you

appear to have fallen into strange mistakes, I cannot help admiring the ingenuity with which you attach expressions to meanings, and meanings to expressions, to advance your argument; besides a great deal more I could say, if I was not afraid of your suspecting what I might say in the best faith, to partake of any sort of *persiflage*."

This letter had the desired effect of calming Bentham. "Since you will be neither subdued nor terrified," he replied, "will you be embraced? Those same seeds you were speaking of have taken such root, that the ground is overrun with them; and there would be no getting them out, were a man to tug and tug his heart out. So Parliament may go to the Devil." \*

\* The correspondence on this subject including Bentham's letter of sixty-one pages is given in his works, x. 229-245.

## CHAPTER XI.

## THE NEW WHIG OPPOSITION.

1793-1805.

By the end of February of 1793, England had joined the continental Powers in their crusade against the Revolution. Technically, France declared war against England, not England against France, but in order to decide on the respective merits of the parties to the great contest that ensued, it is necessary to look further. If France had not declared war against England, England would have declared war against France, for the popular feeling had become ungovernable.

The French conquests in Belgium, the opening of the Scheldt in violation of existing treaties, the danger in which Holland stood from the further spread of French aggressions, the decree of the Convention of the 19th November 1792, to the effect that France would grant assistance to all people wishing to recover their liberty, and charging

their generals to carry out this order, were the main pleas on the side of England. But although the disturbance of the balance of power was put in the foreground of the English case, reasons far stronger than any fear of French aggrandisement, drove England into arms in 1793. These were the horror and the dread of French principles. "The war," as Lord Lansdowne said, "was a metaphysical war; it was declared against France on account of her internal circumstances; for the particular complaints made against the French Government might have been settled by negotiation, and did not in any case afford a ground for hostilities." \*

Ever since the commencement of the campaign of the allies it had been known to every diplomatist in the English service, that should the war prove successful, a partition of French territory would take place among the successful belligerents. Against such a partition no whisper of disapproval had been heard. It was only when the tide of invasion was rolled back and Belgium was threatened, that English remonstrances arose and the balance of power began to be spoken of.

The closing of the Scheldt was owing to the commercial jealousy of the Dutch, and was a measure so repugnant to common justice, that it is difficult to

\* "Parliamentary History," xxx. 329, 422.

realise that the minister who made the treaty of 1786, should have seen a *casus belli* in the opening of that river by the French.

That the decree of the 19th November was a gross provocation is undeniable. The terms of it did not however necessarily apply to England, and for this interpretation M. Chauvelin contended. The best reply would have been a contemptuous silence. The danger to Holland seems to have been more felt in England than in Holland itself, and it was at the bidding of England, that Holland was reluctantly dragged into the war. But there were other reasons which ought to have made England hesitate about joining the continental Powers. A second dismemberment of Poland, as Lord Lansdowne repeatedly insisted, was being planned by them at a moment, when the internal condition of that country afforded less justification for interference than at any previous period. The despotic rulers of Russia, Austria, and Prussia, saw a risk of that country obtaining free and settled institutions, and they resolved to crush liberty all over the world at one blow. With these views, they were not averse to gaining the assistance of English gold, in order to fit out armies which would be as easily used against Warsaw as against Paris. Such were the considerations which ought to have suggested themselves to the mind of an English minister; but

in the turmoil of the political times, Pitt, who was entirely destitute of all knowledge of foreign affairs, became the tool of the Ministers of other countries, and involved England in a war, the disastrous effects of which are felt even by the existing generation. Never was there a time the circumstances of which so clearly called for a policy of rigid non-intervention. Warlike intervention was a mistake, for the reasons already stated. Mediation was impossible, either in the west or east of Europe. The character and the conduct of the belligerents alike forbade it.

But it was urged, and there was no argument upon which the supporters of the Government more often insisted, that there was no government in France to treat with. This, Lord Lansdowne said, reminded him of the arguments that used to be employed against treating with Congress in the early stages of the American war; and he frankly declared that he considered a republic to be the form of government on the whole the best adapted to the circumstances of France, deriding those who looked upon a coronation as a panacea for every political evil, and complaining of the contempt and odium cast upon the leading members of the Convention; and the perpetual talk about English morality and French immorality. "The fast-day was approaching," he said, (for a fast-day had been proclaimed), "and though he was not fond

of party discourses from the pulpit, he should be glad to hear a sermon on a text, which he had always considered as one of the best parts of the Scripture, viz.: the parable of the Pharisee and the publican. As to the existence of a Government in France, let them ask General Wurmser if there was no existing Government in France? Let them ask the Duke of Brunswick and the King of Prussia! Let them ask Lord Hood and Sir Gilbert Elliot! let them ask the Royalist army of La Vendée! let them ask the unfortunate Lyonese! let them ask the Spaniards, retreating before the French arms! All these he was afraid must confess there was a Government; and he greatly feared it would not be long before the Prince of Saxe-Coburg, and the Duke of York, would allow that there was a Government in France. It did not require much of the spirit of divination to pronounce what would be the consequences of involving the country in a war against opinions; the alleged object of which was to repel unprovoked aggressions, but the *real one* to prescribe laws to an independent country." \*

The armies on the Rhine and in the Low Countries soon found out to their cost the force of the French Government, which the cumbrous inefficiency of the Duke of York and Wurmser, of

\* "Parliamentary History," xxx 152, xxxi. 684.

Mollendorf and Clarfayt, rendered doubly conspicuous. The want of energy of the allied commanders on the field was however atoned for by the vigour with which the Ministers of the Crown and the Judges of the land exerted themselves to suppress the liberties which a century before had with difficulty been wrung from the Stuart kings. In Scotland an absolute reign of terror was proclaimed; ancient offences and barbarous punishments were unearthed by the perverse ingenuity of the Lord Justice Clerk Braxfield; and prisoners under sentence of transportation for offences which in England would have amounted only to a misdemeanour, were charitably reminded that they might have been condemned to death by the gallows or by exposure to wild beasts. In England the doctrine of constructive treason was invented, and it was only through the eloquence of Erskine and the independence of an English jury, that this dangerous theory did not become embodied in the law; the Habeas Corpus Act was suspended; the Traitorous Correspondence Bill widely extended the definition of treasonable offences, and proposed that a prisoner might be sentenced to capital punishment upon the evidence of one witness, and without being furnished with a copy of the indictment against him, and without the privilege of being defended by counsel. The Whigs who had joined Pitt were the most

vigorous defenders of the new system. Lord Loughborough was directly responsible for the new measures proposed, and Windham was their most ardent defender in the House of Commons.\* In the House of Lords the Bench of Bishops cast their mantle over every proposal for restricting the liberty of the subject. Dr. Horsley indeed did not know what the mass of the people in any country had to do with the laws but obey them.† By “the Seditious Meetings Bill” every public assemblage for the purpose of petitioning or remonstrating or deliberating on any public question was forbidden, except under certain arbitrary regulations. Any Justice of the Peace might at his own discretion disperse the meeting, and, if, one hour after the meeting had been summoned to disperse, twelve persons were still found assembled together they became liable to the penalties of felony. The Attorney-General boasted that in the last two years there had been more prosecutions for libels than in any twenty years before. Fox declared that he feared that in a few years the Government would become completely absolute, or confusion would arise almost as much to be deprecated as despotism itself.‡

\* See Cooke, “History of Party,” iii. 433.

† “Parliamentary History,” xxxii. 612.

‡ “Parliamentary History,” xxxii. 488. “Memorials of Fox,” iii. 124.

To all these measures Lord Lansdowne offered a most strenuous opposition. He still insisted that the true course for the Government to pursue, was to persevere in the course of parliamentary and economic reform, which they had originally marked out for themselves. It was in no small degree owing to his efforts, that the clauses of the Traitorous Correspondence Bill depriving the prisoner of the means of defence were modified in the House of Lords. The question he said was not one that might affect the life of one or two individuals, but the lives of many. Great as had been the alarm about treason, and of treasonable intentions, he owned he knew of neither; and as to the present measure avowedly framed for the purpose of affording protection in that respect, he owned it appeared to him to be "a hodge-podge," to supply, at the end of the session, all the want of evidence of the treasons with which the people had been alarmed at the commencement of it. The present reign had been remarkable for mildness in this respect, not one act having been declared to be treason that was not so by the ancient law of the land, but now the Ministers seemed, as it were, to make up for their remissness, and to declare many things to be treason which were in themselves innocent. He had at all times been disposed to uphold the majesty of the Throne; and he was still more disposed to do so, when the tide of Democracy was running

so strongly against royalty; he was ready therefore to give his support to any Bill calculated to give greater security to the Crown, and insure the personal safety of the King; for such purposes he was willing to extend the Statute of Treason; but he could not bear to think that the selling of a pair of shoes to the French, should be made in the eyes of the law as criminal an act as the murder of the Sovereign; not to mention that it was a general maxim that excess of punishment for a crime brought impunity along with it.\*

The relations between Lord Lansdowne and Fox were steadily improving during these events. "In regard to what you say," the latter wrote to Lord Holland in 1795, "about any intimate connection between Lansdowne and me, I agree almost entirely with you, except perhaps that I do not give him the credit for sincerity in any system which you seem to do. I never can have a good opinion of him, and still less a great one. However, we are upon terms of the greatest civility, and it must be confessed that his conduct for these last three years has had an openness and consistency which entitles him to every outward mark of respect, from those who think as we do. I have dined with him once, and may probably do so oftener next year, and we have so far explained ourselves to one another, that we agreed

\* "Parliamentary History," xxx. 728, 733.

that if any opening came from the Court to either of us, that we would mutually communicate and consult. I own I think this is no more than what his conduct has entitled him to, and if there were a change I cannot think that he ought to be left out of any new arrangement, however impossible I may feel it really to confide in him. I think it would not be right for our characters that he should be left out, and the events of these last years not only make one less nice about one's associates but make it impossible that any system should be formed without some exceptional members forming a part of it; and, among those who are objectionable, I confess I feel less repugnance to those whose life has been mostly spent in opposition, than to those whose habits are all courtly, and whose prejudices are always of the Tory side. I think any overture from the Court so improbable, that perhaps all this discussion is very unimportant; but I felt (and I believe Lansdowne felt so too), that some explanation was necessary or at least desirable, for the purpose of going on pleasantly in opposition." \* ~

If any evidence were wanting of the law-abiding character of the English people and of the groundless character of the fears which caused the English Ministers to imagine themselves to be on the eve of the establishment of a London Commune, it is to be

found in the fact that excepting some riots caused by the price of bread, no social disturbance occurred in England during the war, notwithstanding the provocation offered by the measures of statesmen, who in the teeth of their own previous professions, confounded Reform with Revolution, and Progress with Anarchy.

The justification for the Seditious Meetings Bill was that on the 29th October 1795, three days after a great meeting held in St. George's Fields by the London Corresponding Society, at a time when great scarcity prevailed, the window of the Royal carriage was broken by a stone or by a shot from an air gun. Addresses on the subject were voted by Parliament. Upon these Lord Lansdowne animadverted with great severity. He said he believed that the attack on the King was no more than an alarm bell to terrify the people into weak compliances, and a scheme planned and executed by the Ministers themselves for the purpose of continuing their power : \* language, which however exaggerated the terms of the Address in the House of Lords might be considered, was as exaggerated itself on the other side ; for the attack though not revealing any deep laid conspiracy to overthrow the Government, might none the less have had the most serious conse-

\* "Parliamentary History," xxxii. 154.

quences, if only from the contagion of example, at a time when misery and hunger, those fruitful mothers of Revolution, stalked in the streets.

If measured indeed merely by the rise in the number of Inclosure Bills, by the sums borrowed for navigation and canals, or invested in industrial enterprises, then the condition of the people of England at this period was remarkably prosperous. But there is another side to the picture. Notwithstanding the Inclosure Bills the price of bread owing to the Corn Laws went on steadily rising, while the Inclosure Bills themselves were steadily divorcing the people from the land. Population increased more rapidly than the means of subsistence, and wages did not rise in proportion to the increase of invested capital. Combination laws prevented the working classes obtaining their legitimate share of the increased prosperity of the country, and though the King could assure Parliament that the revenue was highly productive, and that the national industry had been extended, wages in Wiltshire were seven shillings a week, and the poor, so Lord Lansdowne told the House of Lords, were actually starving, and to a certain extent in consequence of the very laws intended for their relief. Taxation was steadily increasing, and it was a mere question of time how soon it would affect

the industrial enterprise of the country. And for whose interests, Lord Lansdowne asked, were all these sacrifices incurred, these taxes raised, and these tyrannical laws passed? It was in order to please a Coalition, the objects of the members of which were inconsistent with each other and with the interests of England.\* The event soon proved the correctness of Lord Lansdowne's estimate of the character of the rulers of the Continent.

The Austrian war minister Thugut told Mr. Grenville that all the King of Prussia wanted was not to crush the Revolution but to conquer Poland without the loss of a man, and in reward to receive from England a pension of a million and a half per annum.† He forgot however to add that the chief object of his own Imperial master was to get possession of Bavaria and annex Alsace. When these were the motives of the principal European belligerents, it became only a question of time how soon the Coalition would break up. Prussia being determined that Austria should not become too powerful in Germany, began by withdrawing the greater part of her troops from the Rhine, while those which remained behind,

\* "Parliamentary History," xxxi. 198. Notes on the "Poor Laws." Lansdowne House MSS.

† "Courts and Cabinets," ii. 292.

owing to the mysterious character of their movements, were a source of danger rather than of assistance to their allies. Pitt attempted to stimulate their ardour with fresh subsidies. "It was absurd," Lord Lansdowne said, "to suppose that we could dictate to, and manage the King of Prussia, as we would the Margrave of Baden and his paltry 800 men. He would do as his uncle did. He would laugh at us. He would call us a trafficking, commercial nation, who thought by a quantity of guineas to engage him to overlook the true interests of his people, and he would spurn the bribe. In the renewal then of this bloody lease, it surely became us to look back to the last campaigns, and see where the fatal errors lay by which our efforts had been ineffectual. One obvious cause of the failures was the difference that subsisted between the Austrians and Prussians. They hated each other. Did they not now hate each other? Did this treaty reconcile them? Austria was not even mentioned in it. What greater prospects, then, did this subsidy treaty open? Were the allies more firmly united? He could take upon himself to say, that the Austrians and the Prussians were at a greater distance than ever, not merely the armies, but the Courts. The Empress of Russia too, with her promised inundation of Cossacks, where was she? In plain English, she was off, she

had stolen a march. Men were not ignorant of the diabolical transactions that were passing at the other end of Europe." \*

The King of Prussia, it is needless to say, accepted the English subsidy, but before the end of the year, emulating the example of the penurious German prelate immortalized by Dryden, who accepted a large sum from Charles II. for sending his troops to attack the Dutch, and a still larger sum from the States-General for keeping them at home, entered into negotiations with France, signed the Treaty of Fasel, and then, with unblushing effrontery, poured his troops armed and equipped by English money, into Poland. Spain shortly after followed the example set by Prussia and made peace; while Holland, under the title of the Batavian Republic, found herself transferred from the number of the allies to that of the enemies of England. The conduct of the Court of Vienna, the remaining ally of England, for Russia could not be reckoned upon for any real support, was little better than that of the Court of Berlin. The operations of her armies, though supported by English supplies, were paralyzed by political intrigues, and by the incapacity of the Aulic Council. Pitt was engaged in a hopeless struggle, but refused to recognise the fact. The disappearance of the French émigrés from the camp of the allies, should

\* "Parliamentary History," xxxi. 458.

by itself have taught him that the object of the war was no longer, even nominally, the destruction of the French Republic, but the dismemberment of French territory. Ever since the Revolution of Thermidor, the Government in Paris had certainly lost that anarchical character, which it was alleged, had made any diplomatic dealings with it impossible. It was idle to persist in asserting, that any difficulty on this score, even if it had previously existed, still remained; yet partly owing to this idea, and partly owing to the dread of French territorial aggrandisement in the Low Countries, the war was persisted in, and brought with it a heritage of military defeat abroad and financial distress at home, which even the splendid naval victories of Nelson and Jervis, of Duncan and Collingwood, hardly compensated.

The expenditure of the country meanwhile continued to advance by leaps and bounds. Every kind of device was resorted to to wring money from the already burdened tax-payer, devices described by Lord Lansdowne as "irksome, petty and unproductive exactions which fretted and disturbed men's minds." \* At the close of the American war, the national debt amounted to 268,000,000*l*. In 1798 it amounted to 462,000,000*l*. In 1797 the Bank of England suspended cash payments. Lord Auckland is said to

\* "Parliamentary History," xxxiii. 538.

have observed that "this was the beginning of the throat cutting." The measure was intended to be temporary, but like many temporary measures, it lasted far longer than its original promoters had intended, and it was not till twenty-four years after, that cash payments were resumed. "Mark my prophecy," exclaimed Lord Lansdowne, "and do not disdain the counsel while yet in time. If you attempt to make bank notes a legal tender, their credit will perish. They may go on for a time; but the consequence is certain. No art, no skill, no power can prevent their falling to a discount. I do not speak upon conjecture, the thing is matter of experience. A fever is as much a fever in London as in Paris or Amsterdam; and the consequence of stoppage of payment must be the same in whatever country it happens. The fall will be slow perhaps, and gradual for a time; but it will be certain. A few months may bring to the recollection of your Lordships with contrition, the prophecy that I have now made to you." \* He also dwelt with great force on the evils which would infallibly arise from the gigantic system of forgery of paper money, which would be sure to spring into existence, and from the general rise of prices which would ensue.

His fears on the subject of forgery were at once

\* "Parliamentary History," xxxii. 1564.

fulfilled, and although his prophecy on the depreciation of the value of bank notes did not come true "within a few months," owing to the skill with which the issue of the inconvertible paper was managed, yet within a few years they were fulfilled; the day was to come when a Chancellor of the Exchequer was to rise in his place in the House of Commons and boldly maintain, that bank paper must be as good as gold, while a new school of currency-mongers asserted that a metallic circulation was only worthy of a primitive state of civilisation.

The successes of the Imperial army in Germany in 1796 led to negotiations, but the English Envoy, Lord Malmesbury, found the French Minister for Foreign Affairs, M. Delacroix, quite as much elated by the successes of Bonaparte's first campaign in Italy, as depressed by the victories of the Archduke Charles. He refused to listen to the English demand for the evacuation of the Netherlands, and the war continued. During these negotiations Lord Lansdowne was accused of having secretly gone over to Paris in order to suggest to the French Ministers that they should insinuate in England that peace would be far more easily obtained, if he had the direction of affairs instead of Pitt.\*

The financial difficulties of 1797, the mutinies at the Nore and Spithead, the fresh victories of Bona-

\* "Castlereagh Correspondence," i 277

parte, the energy with which the followers of Fox in Parliament though small in numbers, continued to protest against the longer continuance of the war, caused a renewal of the negotiations in the following year. Unfortunately the revolution of the 4th September, which overthrew the peace party in the French Directory, put an untimely end to them. The commissioners sent by the victorious triumviri, Barras, Reubell, and Lepaux, demanded that Great Britain should surrender all her colonial conquests, whether made from France or her allies, and intimated to Lord Malmesbury, in the most insolent terms, that he must quit Lille within twenty-four hours, if he would not accept these conditions. The negotiations were accordingly again broken off, and England was left to contend alone; for Austria, tempted by comparatively favourable terms, and the offer of Venice, had early in the year signed a separate treaty of peace with France at Campo Formio, to which Russia, determined as she was to retire at all hazards from the contest, soon formally acceded.

A great revulsion of feeling followed the rupture of the negotiations. It was felt that however different opinions might have been as to the original justice of the war, it was now being continued quite as much owing to the extreme demands of France as of England. Added to this the whole efforts of the enemy were now directed against England alone.

An invasion was threatened, and the national spirit rose high before the common danger. The right line of conduct for the Opposition to pursue became more than ever difficult. Fox, after making an eloquent speech in favour of Reform, seceded from the House of Commons, a course which however Lord Lansdowne did not at the time approve, though he ultimately agreed to it.\*

One unfortunate result of the outbreak of national feeling was to encourage a renewal of the prosecutions for political offences, which had flagged to a certain extent since the acquittal of Hardy, Horne Tooke, and Thelwall, in 1794. The Government even thought of flying at higher game and of prosecuting the leaders of the Opposition. So feeble however had the Opposition become, that in the House of Commons their numbers frequently sunk as low as 30, and when on the 13th May 1797 the Duke of Bedford brought forward a motion for the dismissal of Ministers in the House of Lords which Lord Lansdowne supported in a vigorous speech, he was hardly able to muster a dozen votes to support it. A party so feeble was perhaps hardly worth prosecuting.

There is only one step from the sublime to the ridiculous. Having decided not to prosecute the

\* "Memoirs of the Whig Party," i 91 "Memorials of Fox," iii. 138.

leaders of the Opposition, the supporters of the Government fell upon the printers and proprietors of the *Morning Chronicle* for a Breach of the Privileges of the House of Lords. On the 21st March 1798 Lord Minto rose in his place to complain of the following paragraph which had appeared in that journal two days before.

“The House of Lords must now be admitted to be highly important as a political assembly, notwithstanding it has of late appeared to be nothing more than a chamber where the minister’s edicts are registered for form’s sake. Some of their Lordships are determined to vindicate their importance. It is there that the dresses of the Opera dancers are regulated! One of the Roman Emperors recommended to the Senate, when they were good for nothing else, to discuss what was the best sauce for a turbot. To regulate the length of a petticoat is a much more genteel employment.”\*

It was resolved that the above paragraph was a gross and scandalous libel. Mr. John Lambert and Mr. Perry were fined 50*l.* each and committed to Newgate for three months, and several Peers expressed in solemn words their horror at this scandalous publication; horror which was much increased, when Lord Lansdowne rose and said, that to his mind the matter was too trivial to be worthy of their attention, that the paragraph was one of mere levity, and of some wit; and that he always read the *Morning Chronicle* with satisfaction. Mr.

\* “Parliamentary History,” vol. xxxiii. p. 1310.

Perry and Mr. Lambert were none the less committed to Newgate.\*

It is perhaps fortunate that when the rulers of the land were in so sensitive a frame of mind, the following *jeu d'esprit* probably from the pen of Jekyll did not fall into their hands, but slumbered peacefully to the present day at Lansdowne House; otherwise a fate similar to that of Mr. Perry and Mr. Lambert might possibly have befallen still more conspicuous persons.

#### SCARCITY OF IDEAS

"At a meeting in Downing Street yesterday, Mr. Pitt declared to several of his friends that he found himself entirely destitute of any ideas to meet Parliament with, for the purpose of finance, peace, or war. It was held advisable to send to the Duke of Portland's office, and enquire if any were to be had there. The clerks returned for answer, that they were totally unprovided: the last two ideas that were left in the Treasury had been sent by Mr. Cox to the Emperor on Saturday; which it was confessed should not have been done without the consent of Parliament, but that it was thought the safety of Germany depended on it.

"Mr. Pitt then enquired if the Rt. Hon. Sylvester Douglas has brought any ideas with him when he so lately took his seat at the Board; and was informed that the few he had were by accident packed up, and had sailed with Lord Macartney. Lord Mornington declared he had put his whole stock into a pamphlet some years ago; and Lord Hawkesbury and Mr. Canning said they had lost all theirs with a variety of speeches, and other light baggage in a forced march to Paris.

"Mr. Rose suggested a plan for putting ideas *in requisition*, which he had found very successful at a Verderer's meeting on the

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\* "Parliamentary History," xxxiii 1312

New Forest Bill, and proposed as the most intelligible mode the plan of the *New Cavalry Act*. Gentlemen, who are supporters of the Ministry and the war might be classed according to the number of ideas they possessed, or were supposed to possess, respectively. Ten in a class for instance, where each gentleman had only one idea apiece, so in proportion if any such gentleman happened to possess more, that the gentleman on whom the ballot fell, should be bound to furnish one idea for the use of the State, the fitness of which should be judged of by the Deputy Lieutenants of the respective counties. When the whole return was complete, Mr. Dundas might be directed to put the ideas in a large decanter, and Mr. Pitt and he might pour them out, as existing circumstances might require. Sir W. Young observed that such a ballot would fall very inconveniently on many gentleman, who might thereby be delivered of the only idea they had in the world. Sir Gregory Page Turner said, he did not pretend to deny his having an idea, but declared to God if it were rejected by the Deputy Lieutenants he should not know which way to turn for a substitute.

“Sir J. Marriott and Dr. Laurence gave it as the opinion of the best publicists of the Old School, that it might lead to a very unpleasant disclosure, in the case of acting justices and landed gentlemen in the country, and that it might affect the rights of Corporations, most of whom had only ideas granted by ancient charters from the Crown, certainly not impaired by use, but still most important to be preserved entire and undiminished.

“Mr. Boyd offered the Minister ideas dated Hamburg, and on very moderate *discount*; they might be drawn in London and accepted by the Treasury.

“Mr. Pitt said he could rely on the candour of the majority of the House of Commons for their support in a time of scarcity of ideas: the same patriotic conduct they had shown in the scarcity of bread corn, namely, to be satisfied with ideas of an inferior quality; it always gave him pain to distress the country gentlemen as he felt this particular requisition would, but he had the satisfaction of adding, that very few ideas would be wanting, and those reducible at a short date. Seven or eight of any sort would enable him to make six speeches of three hours and a half each, which would carry on the session perfectly well till the Easter recess; and as the Secretary of War had kindly consented not to expend any, he was under no difficulties but about the Ad-

miralty. Mr. Pybus assured the Chan. of the Exchequer that the board had done so well without ideas of late, that he need not give himself any concern on their account. Mr. Pitt thanked Mr. Pybus very politely, and observed, that in that case, without any violation of the Appropriation Act, the Admiralty ideas might be put into the Poor-bill. The Duke of Dorset hoped that if the Minister persisted in the plan of putting ideas in requisition, his Majesty's menial servants would be exempted. Mr. Pitt assured his Grace that he need be under no sort of anxiety, the case being perfectly analogous to the powder licence, as they were both a sort of Poll-tax.

"Mr. Pitt returned the gentlemen present a great many thanks for their very obliging advice; told Mr. Rose to make a minute of the transaction, and to write a civil note to Mr. Alderman Curtis, requesting him to second the motion he should make on Tuesday, for leave to bring in a Bill for the better supplying his Majesty's Ministers with ideas, in the present embarrassing posture of their affairs with the Public."

By the end of 1798 the relations between Lord Lansdowne and Fox had become quite cordial. "The circumstances of the time," the latter wrote to Lord Holland, "will of themselves bring Lansdowne and me together far better than any explanations or messages or communications etc. We are indeed now upon a very good footing, and quite sufficiently so to enable us to act cordially together, if any occasion offers to make our doing so useful."\* In the popular mind they were now intimately associated as the leaders of Opposition, and as such were the constant butt of the caricaturists of the day. Gillray drew Lord Lansdowne as the centre of a group of revolutionists including Fox, now weighing the crown by the

\* "Correspondence of Mr. Fox," iii. 129

new French weight, now presiding over the guillotine from the balcony at Brook's, or waving the wig of the decapitated Chancellor to the crowd, or firing a gun in at the windows of the Royal carriage. Sometimes he is represented as a bat or an owl, with Fox as his companion, fleeing before the rays of the rising sun; sometimes he appears with the Duke of Grafton and the Duke of Norfolk, as a member of the Council of the Ancients of the Republic. Elsewhere he is depicted as an old news boy stealing out of the back gate of his house in Berkeley Square, to disseminate "Malagrida's latest lie from Paris," or as training up Jekyll, represented as a bull terrier, to fly at a bust of Pitt placed at the end of an arbour in his garden, or dancing in a ring with the other leading members of the Opposition and shouting "Vive Barère."

In 1798 the condition of Ireland induced the French to attempt an invasion. The corruption and tyranny of the House of Commons had brought that country to the brink of civil war. The Protestant majority refused either to reform themselves, or to remove the remaining Catholic grievances, and when in 1795 Lord Fitzwilliam went as Lord Lieutenant to carry out the policy of emancipation with, as he imagined, the consent of his colleagues, the combined opposition in London and Dublin was too strong for

him, and a fortnight after the day on which Grattan had introduced a Bill to remove all religious disabilities, Lord Fitzwilliam had to leave Ireland, and was succeeded by Lord Camden. A formidable association, the "United Irishmen" was now organised throughout the country. It comprised Protestants and Catholics alike. The former represented the floating elements of political discontent which the events of the French Revolution had stirred all over the world, but the real strength of the movement lay in the Roman Catholic population, whose priestly leaders only concealed for convenience sake, their intention of proclaiming a religious war against the Irish Protestants as soon as the English Government had been got rid of.

The rebellion, the death of Lord Edward Fitzgerald, the cruelties of the rebels, the barbarities of the troops sent to suppress them, the landing of the French too late and in too small numbers to be of any assistance to their allies, are amongst the most interesting pages in the history of Ireland. The main result of the events of 1798 was to prove the incompetence of the Irish Parliament to govern. The minds of men were naturally turned towards a union with England: the bigoted Protestant in the hope that further security would be thereby obtained for his own ascendancy; the liberal Protestant and the oppressed Catholic in the hope

that the Union would be accompanied by a measure of emancipation. Lord Cornwallis, the successor of Lord Camden, was convinced that until the Catholics were admitted to a general participation of rights, under the protection and check of a Legislative Union, there would be no peace or safety in Ireland. Pitt was of the same opinion. "With regard to the Catholics," said Lord Lansdowne, "their emancipation was a thing which it was vain to stop. It was silly to say that we were sorry that anything was done for the Catholics; we ought to rejoice at it, and cheerfully finish what we had begun. There was nothing to fear from it. Those who thought there was, ought to look at the condition of the Pope, and the state of France; they would then see that there was no fear from any body of men on account of the religion they professed. That species of deception was gone. The question was not what religion you should have, but whether you should be permitted to have any? It was not whether this or that religion, but whether all religion should be destroyed?"\*

On the 22nd of January 1799, a Royal Message announced the proposal for a Union to both Parliaments. In Ireland Mr. Ponsonby moved and carried a hostile amendment to the address in answer to the Speech from the throne. In the English House of

\* "Parliamentary History," vol. xxxiv, p 677.

Commons a similar amendment, moved by Sheridan, was negatived without a division, and after long discussion resolutions in favour of the Union were carried. On the 19th March they were discussed in the House of Lords. The correspondence which had passed between Lord Lansdowne, the Duke of Portland, and Lord Rockingham in 1782 relative to the affairs of Ireland, had been recently presented to Parliament, and with the resolution of the 17th May of that year had been quoted to prove that the work then done was not regarded by the authors of it, as closing the chapter of the connection between England and Ireland. When accordingly Lord Lansdowne rose to speak on the 19th March, there was general attention. He began with a strong declaration in favour of the complete emancipation of the Roman Catholics. "As to what passed in 1782," he went on, "the Cabinet at that time, making the exception of one person"—he was alluding to Lord Keppel—"consisted of as great and worthy men, as any that ever existed in this country. They were ten in number, and only three of them were dead; consequently there were six of them to bear testimony to the truth of what he was about to say. He had made some communication, in 1782, about a plan which he had much at heart, but which was not proceeded upon. It did not go to the length of a despatch.

It related to what might be called the expense of the system which was carried on under the two Parliaments. This had nothing to do with a Union. Those who had taken a share in the proceedings of 1782 had entered into no pledge whatever about a Union. It was extraordinary that any one should refer to it on the present occasion. Most clear it was, that those who favoured the idea of a Union at this moment were no more acting in violation of any pledge in 1782, than those who were now opposing that idea, neither having entered into any pledge upon the subject. He could not conceive how any man possessed of a clear understanding could think of introducing the idea of any pledge to do nothing as between the two countries since the proceedings of 1782. The present plan could not be said to grow out of those of 1782, any more than those of 1782 could be considered as a bar to any future proceedings." He then proceeded to insist upon the necessity of sincerity and straightforward dealing in everything connected with the Irish, for they were a nation who prided themselves on a scrupulous regard for honour; a part of the national character demonstrated by a popular anecdote, in which a person is accused by the landlady of a public-house with having stolen her poker. He swears the most bitter oaths that he has not; "but," says the landlady, "you have not pledged your honour." "Oh," says

collected rather from petitions than from the votes of her representatives, a plausible objection in the then condition of the Irish Parliament, he replied by an anecdote which is of general application, and worth preserving. He recollected, he said, in the year 1769, when he was Secretary of State, on coming down rather late to that House, he was told that a petition, with a numerous list of subscribers, had been just presented, the prayer of which was, that he might be impeached. He was told it came from the Royal Exchange, and being desirous to see who were the subscribers, he took it up, when the very first name he cast his eye upon was that of one of his particular friends, an Alderman of London. The next day the Alderman called on him, when he told him he did not expect to see him again in his house. The Alderman, Sir William Stephenson, stared, and asked him, "Why so?" He explained that he had seen his name to a petition, desiring that he might be impeached; when the Alderman replied with indifference, "Oh, aye, I did sign a petition at the Royal Exchange, which they told me was for the impeachment of a minister; I always sign a petition to impeach a minister, and I recollect that as soon as I had subscribed it, twenty more put their names to it." \*

While Pitt by this great measure was recalling

\* "Parliamentary History," xxxv 167.

the peaceful triumphs of his earlier and better days, he was none the less persevering in his unfortunate continental policy. A fresh coalition had been formed against France. The triumphs of the Archduke Charles in Germany and of Suwaroff in Italy during the absence of Bonaparte in Egypt in 1799, gave unusual hopes to George III. who thought he recognised the visible interposition of Providence. Pitt contemptuously rejected the offers of the First Consul to treat, and Lord Grenville once more declared, while proposing an enormous subsidy to Russia, that the existence of the present government of France was incompatible with the security of the other Powers of Europe. It was against that government, he said, acting on its present principles that he would wage war, and he accompanied his observations by an apology for the Cabinets of St. Petersburg and Vienna, an apology which Lord Lansdowne ridiculed, returning to the conduct of the allies towards Poland, and again insisting on the impolicy of even seeming to dictate to another country, what the form of government there should be. He added that in his opinion there was no valid ground for the expectations held out by Ministers of the general deliverance of Europe.\* Within another year the battles of Marengo and Hohenlinden had been fought, and the Peace of Lune-

\* "Parliamentary History," xxxv 1198

ville signed. The new century opened for England amid distress, despondency and defeat.

The speech of Lord Lansdowne, which has just been quoted, was made remarkable by the formal declaration of his complete change of opinion on the question of neutral rights. Ever since the outbreak of the war, England had been engaged in renewed wrangles on this subject with the Northern Powers, especially with Denmark. It was even attempted to bring provisions within the category of contraband, and the controversy between Count Bernstorff and Mr. Hailes in 1793 on this point, remains a *cause célèbre* in the annals of international law. To these extreme applications of belligerent rights Lord Lansdowne had at all times been opposed, and he pronounced the Memorial of Bernstorff, in reply to the English Instructions of the 8th of June 1793, "one of the boldest, wisest, and most honourable replies he had ever read. It was a State Paper that should be kept for the model of every cabinet in Europe."\* He now however went further, and after freely confessing that he had formerly advocated the opposite doctrine, asked, using the arguments which Oswald had urged upon him in 1783,† how the old doctrines

\* Manning, "Law of Nations," 297; and see the speeches of Lord Shelburne and Lord Camden, as to the policy of Lord Chatham, in the debate of June 1st, 1780.

† Memorandum by Oswald on Neutral Rights, Feb. 1783.

could be made to apply to neutral states, when America had arrived at such a pitch of magnitude? "The question," he said, "had assumed a very altered aspect. Was it possible to prevent America carrying any kind of goods as a neutral nation? He would defy the wildest ministers that ever could exist, supposing it possible to have wilder ministers than we had, to prevent America from becoming the carrying country of Europe. He admitted it was unpleasant to lose the power we once possessed, but what the land lost by the encroachment of the sea in one place, it gained by its receding in another. If we were obliged to forego the maritime code, it would be succeeded by other sources of wealth." \*

Pitt had intended that the union between England and Ireland should be immediately followed by a measure for the relief of the Roman Catholic population from the disabilities under which they still suffered. The prejudices of the King proved however too strong for his more enlightened minister, who on the 5th of February accordingly resigned. Addington, the Speaker of the House of Commons, was charged with the formation of a new Government. Before his final arrangements were made, the King again fell a victim to mental disorder, and the question of the Regency was once more

\* "Parliamentary History," xxxv. 1199.

forced upon public attention. The Prince of Wales, sure of the support of Fox and his friends, looked forward to forming a Ministry after his own heart. But in Lord Lansdowne he foresaw an obstacle to his plans, believing him to be irrevocably hostile, owing to the speech which he had made on the Regency Bill in 1788, expressing a complete agreement with the views of Pitt.\* Ultimately at the advice of Mr. Grey the Prince sent Lord Moira to ascertain his views. "Lord Moira," writes Lord Lansdowne, "said that he had sometime since had the Prince's directions, to consider of two lines of administration; one, an eventual one in case of the King's illness being a short one, the other in case of its being permanent, that in the latter case there was no situation which the Prince would not consider to be at my choice, no competitor, of course after the Treasury. I told him I had none in view, though I wished the country saved, which could only be by settling the Government in the first instance, and by peace in the second. He described the Prince's character, that it was good-natured, quiet, easy of comprehension, with an appearance of unsteadiness arising from people presuming too much upon his affability; and this occasioned what had been called

\* Notes of a conversation between Lord Lansdowne and —, 1798.

breaches of friendship, and that he lamented sometimes his want of application. I told him that I did not desire to be let into Court secrets; I had no talents for any sort of Court management when young; and now was incapable of anything of the sort, and would only expose myself, if I attempted it; that as to measures, I thought it my duty to attend to them and to give the best opinion I could. He said that the Treasury was at his option long before Mr. Addington was thought of.

“He said that *the six* mentioned by Mr. Grey would command in his opinion the public confidence; that Lord Thurlow was determined if he had a leg to stand upon to come forth; he talked of the Duke of Northumberland, Lord Bute, and the country gentlemen; of Fox, as wanting to come in for a short time to save appearances, and to go out again; that he had brought the country gentlemen at last to endure him; of Lord Fitzwilliam as *possibly* to go to Ireland; of a reform of Parliament, not disapproving it altogether, but not cordially; of peace, eagerly; of economy, but not enthusiastically; that Lord Buckingham had applied to him repeatedly about stirring the question of the King’s competency (a good instrument to take up ground full of danger and difficulty); the Queen might be gained; the Duke of York not, who had differences with Pitt about Hanover, which was the subject of two or three conver-

sations with the King, in which Pitt proposed its being given up for British objects; that Pitt he had reason to think set out in concert with Addington; Fox was ill with Pitt, but likely to be well with the King if he recovered; Lord Gower and Pitt had had for some time a great coldness.”\*

Several further conversations took place, and the following outline of a Ministry was agreed upon:† —

First Lord of the Treasury	. . .	Lord Moira.
Chancellor of the Exchequer		Mr. Sheridan.
Secretary of State for Foreign Affairs		Lord Lansdowne.
Secretary of State for Home Affairs	. . .	Mr. Fox.
President of the Council	. . .	Duke of Grafton.
Lord Privy Seal	. . .	Duke of Bedford
First Lord of the Admiralty	. . .	Lord Wycombe
Chancellor	. . .	Lord Thurlow
President of the Board of Trade	. . .	Lord Hawkesbury.
Secretary at War	. . .	Mr. Grey.

All these arrangements were however abruptly terminated by the recovery of the King. The Addington Administration was formed, and the position of the Opposition, as Fox felt, became more hopeless than ever. They resolved however

\* Lansdowne House MSS

† In a paper among the Lansdowne House MSS., more than one proposed arrangement is given. It would appear however that the above distribution of the offices was that most nearly agreed upon.

to persevere with their opposition in Parliament, where Fox had now returned. "The line of conduct to be taken," he wrote to Lord Holland, "seems quite clear; as Lord Lansdowne would say, simplicity and consistency. Removal and censure of Pitt and his associates; Religious Liberty to its utmost extent; Reform in Parliament; Liberty of the Press, in which I include pardon in all instances, and indemnity in others to Libellers, &c.; not only peace, but a good understanding if it can be had with Bonaparte, and everything that is mild and conciliating to Denmark, Sweden, &c." \*

During the session of 1801 accordingly, the Opposition continued to urge on the Ministry the necessity of concluding peace. The retirement of Pitt and Grenville had made a negotiation easier. Their successors Addington and Hawkesbury were not pledged never under any circumstances to treat with the existing Government of France. But the events which had been recently passing on sea and land made France herself less arrogant in her demands. On the 16th December 1800 the Armed Neutrality had been renewed by the Northern Powers against England, chiefly through the machinations of the Emperor Paul. The battle of Copenhagen and the destruction of the Danish fleet was the high-

\* "Memorials and Correspondence of Fox," by Lord Russell, iii 187.

handed answer of the English Government. The murder of the Emperor Paul, who from the enemy had become the devoted adherent of France, still further broke up the Northern alliance, while the complete success of the English expedition to Egypt not only restored the prestige of the English arms, but secured India against French aggression.

It was thus easier than in previous years for England to negotiate, and on the 1st October 1801, preliminary articles of peace were agreed upon. "I am impatient," Lord Lansdowne wrote to Lord Holland, "to drink the French consul's health now that we may do it safely and honourably, and thanks to him for granting us peace, no matter what it is."\* On the 25th March 1802 the Treaty of Amiens was signed. The French Republic retained all her recent acquisitions in Europe, while Great Britain restored all the conquests she had made, except Ceylon and Trinidad, and was left to calculate at leisure the cost of the war into which she had been hurried by the passion of Burke, and the ignorance of foreign politics of Pitt.

Not the least advantage which the peace brought to Lord Lansdowne was the opportunity it gave him of renewing his intimacy with his friends in France. "My mind," he wrote to Morellet, "gets every year more philosophized, and I cannot express the satis-

\* Lord Lansdowne to Lord Holland, October 1801.

faction it gives me to find it enlarging by dint of reflection and observation, or the pleasure it gives me to see things great and small through a just medium, unencumbered with prejudices, and little passions of which I feel I had my full share. I now look down upon them as I would upon a fog in a valley. I am very happy in both my sons. I have been uneasy about your friend's long absence from home, but I find that he improves considerably in respect to talents and that his mind strengthens. He lives in perpetual pursuit of information, and his mind appears constantly employed, which makes him happy, and what else are we to look for? My younger son is a quite different character. A very happy temper, with, I would say if I were not afraid of rating him too high, a strong natural judgment. His brother loves him very tenderly, as he may well do his brother who has acted a very noble part by him. Let me now say a word with regard to yourself. You may depend upon it that if I have one quality beyond another it is sincerity, and that in no part of my life I was ever capable of failing in it. I hope and trust that some settlement will take place in France, in which case however happy I may be to see you in England, I should be sorry you thought of quitting it, because I am persuaded from all I have seen and read, nothing can supply the place of early habits and long connections; but if the Reign

of Terror should return, you may be assured of finding a home here, and that I will do everything in my power to make it as natural to you as possible . . . . I expect that peace will revive us here as well as elsewhere, and that I shall be enabled to pursue for some years before I die the dictates of an unshackled mind. I have a very great desire as soon as the peace takes place to see the *bonne ville de Paris* once more after such wonderful events, and to pass a winter afterwards in some warm climate, arranging so as to pass some little time at Paris going, and more returning. I wish you would have the goodness to make a plan for me how *I can see and not be seen*. I do not want to make connections, much less to intrigue, or to be active in any pursuit, but my curiosity will be insatiable, as long as it can be gratified in a quiet way. I beg you will write to me *a plan* in the greatest possible detail, it will serve me at least to dream upon.

“I have not changed an atom of the principles I first imbibed from you, and Adam Smith. They make a woeful slow progress, but I cannot look upon them as extinct; on the contrary they must prevail in the end like the sea. What they lose in one place they gain in another. There is nothing would give me more pleasure than to discuss all these subjects with you once more before we die, but I am afraid it will be impossible for me to think of it before the year after next. If I live till then, my health will

not leave me an option. The dampness and uncertainty of this climate disagrees with me every year more. You used to tell me that you were ten or twelve years older than me, but I can now tell you that I am ten or twelve years older than you." \*

The projected journey never took place. After the conclusion of the Peace of Amiens, the restless ambition of Bonaparte never paused in pushing his schemes for universal dominion on the continent of Europe, and angry recriminations continued to be bandied between the Governments of France and England. The peace was indeed a hollow truce, and it may be fairly doubted if war could long have been avoided under any circumstances. The Addington Administration unfortunately did their best to place their country in the wrong. They not only showed an unwarrantable tardiness in executing several of the provisions of the peace, but in the ultimatum which Lord Whitworth presented to the First Consul, on the 10th May 1803, demanded the evacuation of Switzerland by the French troops, and a territorial equivalent for the dispossessed King of Sardinia in Italy. On both points France had the advantage in argument; for the affairs of Switzerland had been arranged by the Treaty of Luneville, which gave the Emperor, but not England, a right to interfere; while whatever

\* Lord Lansdowne to Morellet, 20th Aug, 7th Dec, 1802.

changes had been recently introduced into that country diminished rather than increased French influence, compared with what it had been in 1799. Sardinia had been in the possession of France at the time of the signature of the Peace of Amiens, and no demand had then been made on behalf of the King. Still more unfortunate was the English position regarding Malta. That island had not been restored to the Knights of St. John, according to the stipulations of the recent treaty, though all the conditions on which the restoration was to depend had been fulfilled, and the English ultimatum now proposed that the evacuation should not take place till the end of a further term of ten years, and then without any regard to the possessory claims of the Knights.

These points were insisted upon by Lord Lansdowne in the last speech he ever made in Parliament. "Let us first try," he said, "every possible way to obtain by conciliation the objects we are desirous of possessing; and if our efforts fail, let us then have recourse to arms. Let us profit by the example of the American war and take care that our discretion and prudence be not sacrificed to false glory."\* The die was however cast. On April 29th, 1803, war was again declared, and on May the 12th, 1804, Pitt again became Prime Minister. Lord Lansdowne

\* "Parliamentary History," xxxvi. 1507.

saw these events with a feeling akin to despair. He determined however to continue the struggle, but illness and infirmity, which soon proved fatal, now came to make it difficult for him to appear in Parliament. The brief remainder of his life was spent at Bowood, cheered only by the hopes of the future career of his second son. "Henry," he writes to Lord Holland, "promises to be a very great resource to me, so far as private life goes, and as to public life, I have seen so much of it, that I shall consider it as no misfortune if he fails in it. My next greatest resource is this place, where I am perpetually doing and undoing, and to which I grow every day more attached. You will be pleased," the letter continues, the old flame kindling for a moment, "that Dumont and Bentham's book is likely to make its way and to lay the foundation of a new science in Legislation. It ought to be translated into Spanish."\* "Whatever disappointments," said Fox, "Lansdowne may have had in public life, and of a still more sensible kind in Lord Wycombe, he must be very unreasonable if he does not consider them all compensated in Lord Henry. The little he has done is excellent; good sense, and good language to perfection; a little more force might be desirable, but that will come possibly when he speaks on greater occasions than

\* Lord Lansdowne to Lord Holland, 13th April, 1803.

he has yet done.”\* The greater occasion came with the debate on the charges against Dundas, now Lord Melville, in regard to his conduct as Treasurer of the Navy. “It is a matter of pride to any man,” said Tierney, “who followed later in the debate, to be allowed to call himself the friend of such rising talents and eloquence.”†

On the 15th January, 1805, Lord Lansdowne dictated the following letter to Lord Holland. “The state of public affairs is such as to leave me little to regret, whether considered in a large or a narrow point of view, relative to persons or to things. As to the first, the contradictions and inconsistencies are endless, and afford a despicable view of human nature; and as to things, never was this country so totally void of plan as at present, the consequence of which must be such a total want of system both bad and good, as to mock all conjecture of what may happen. I am sorry to say that both Christianity and feudality are approaching every day to their downfall, without anything to replace the good of the one, or the bad of the other; but on the contrary, a spirit of destruction has arisen, which goes to pull down, without the least design of building anything in its room. The most striking feature is a general secrecy in all parties, which is easily

\* “Correspondence of Fox,” 3, 203, 209, 246, 464.

† See Lord Stanhope, “Life of Pitt,” iv. 280.

accounted for by a general want of confidence. But I hope we shall see you soon, which makes it unnecessary for me to enter into further details. I need not tell you that you will be sure to know everything Henry and I do, but there is one thing which I have more at heart than all the politics in the world, which is my gratitude to your sister. I wish I knew how to return half her kindness to you and Lady Holland, to whom I consider myself as beholden for it, and never can sufficiently show how much I feel it, and how much I consider myself as indebted in consequence."

The end was not now far off. On the 7th May 1805 Dumont wrote to a friend: "There is no longer any information to be asked. The last event took place this morning at six o'clock. The two last days have been passed in a state of exhaustion or insensibility."\* Lord Lansdowne had ended his stormy and chequered career. If life and health had been continued to him a little longer, he would probably have been a member of the Coalition Ministry formed in 1806 by Lord Grenville and Fox, or perhaps he would have been satisfied with seeing Lord Henry Petty filling the post of Chancellor of the Exchequer at the age of twenty-six. His remains were interred in the church of High

\* Bentham, x. 419.

Wycombe, in the county which has given five Premiers to Great Britain. No tasteless monument nor fulsome inscription disfigures his grave, but if any epitaph were needed to mark where he rests, it might be found in the words attributed to Bentham, that alone of his own time, the first Lord Lansdowne was "a Minister who did not fear the people." \*

\* Lord Holland. "Memoirs of the Whig Party," i. 41.

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